United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE *105th* CONGRESS, SECOND SESSION

Vol. 144 WASHINGTON, THURSDAY, AUGUST 6, 1998 *No. 110*

Senate

The Senate was not in session today. Its next meeting will be held on Monday, August 31, 1998, at 12 noon.

House of Representatives

THURSDAY, AUGUST 6, 1998

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. GOODLATTE).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
August 6, 1998.

I hereby designate the Honorable BOB GOODLATTE to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Reverend James David Ford, D.D., offered the following prayer:

Of all Your blessings that touch our hearts, O God, and of all the gifts with which You sanctify the issues we face, we pray that from our lips will come words of thanksgiving and praise and from our hands deeds of gratitude and appreciation. In the Psalms we read that we are to serve You with gladness and come before Your presence with singing and thanksgiving.

Grant, O loving God, that whatever our circumstance or place in life, we will remember to begin our days with words of praise and end each night in the spirit of thanksgiving. With hearts of gratitude, we pray. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from North Carolina (Mr. BALLENGER) come forward and lead the House in the Pledge of Allegiance.

Mr. BALLENGER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

GRANTING MEMBERS OF THE HOUSE PRIVILEGE TO EXTEND REMARKS IN THE CONGRESSIONAL RECORD FOR TODAY AND TOMORROW

Mr. BALLENGER. Mr. Speaker, I ask unanimous consent that for today, August 6, 1998, and tomorrow, Friday, August 7, 1998, all Members be permitted to extend their remarks and to include extraneous material in that section of the RECORD entitled ''Extensions of Remarks''.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

NAZI WAR CRIMES DISCLOSURE ACT

Mr. HORN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1379) to amend section 552 of title 5, United States Code, and the National Security Act of 1947 to require disclosure under the Freedom of Information Act regarding certain persons, disclose Nazi war criminal records without impairing any investigation or prosecution conducted by the Department of Justice or certain intelligence matters, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the question of the gentleman from California?

Mrs. MALONEY of New York. Mr. Speaker, reserving the right to object, and I do not plan to object, I yield to the gentleman from California (Mr. HORN) for a brief explanation of this legislation.

Mr. HORN. Mr. Speaker, I thank the gentlewoman from New York (Mrs. MALONEY) for yielding. The gentlewoman from New York (Mrs. MALONEY) is author of the House version of this important legislation.

Over a half a century after the Nazi era, the United States Government continues to keep secret much of the information it has on Nazi war criminals. It is imperative that this information receive full scrutiny by the public. Only through an informed understanding of the Nazi era and its

aftermath can we guard against a repeat of one of the darkest moments in history.

S. 1379, the Senate counterpart to the Maloney legislation, the Nazi War Crimes Disclosure Act, provides for the disclosure of Nazi war criminal records in the possession of the United States Government. It calls for the establishment of an interagency working group to administer and facilitate the disclosure of Nazi war crimes records. The bill also provides for expedited processing of Freedom of Information Act requests of Holocaust survivors.

S. 1379 was introduced by Senator MIKE DEWINE of Ohio. It passed the Senate by unanimous consent on June 19, 1998. An identical bill by the gentlewoman from New York (Mrs. MALONEY), H.R. 4007, was introduced in the House by her.

The Government Reform and Oversight Subcommittee on Government Management, Information, and Technology held a hearing on July 14, 1998, and made the decision to accept the DeWine counterpart, which is an identical bill to hers.

Much of the government information on alleged Nazi war criminals has remained secret even though many researchers have filed Freedom of Information Act requests to secure copies of the records. Federal agencies have routinely denied these requests citing exemptions for national defense, foreign relations, and intelligence.

More than a half century after the Second World War, it is time to end the sweeping equity exemptions that have shielded Nazi war crimes and criminals from full public disclosure.

Mrs. MALONEY of New York. Mr. Speaker, further reserving the right to object, I would like to make my own very brief remarks.

Our work here is important but it is far surpassed by the persistence that Holocaust survivors, historians, and researchers have shown in their search for the truth.

S. 1379, the Nazi War Crimes Disclosure Act, which passed the Senate, introduced by Senator DEWINE, and its House companion, H.R. 4007, which I introduced, will help to reveal some of those truths. The bill sets up a process for the declassification of documents held by Federal agencies. It establishes an interagency working group to locate and sort out all classified Nazi war crime records.

The bill also wisely allows for the withholding of information which would pose a threat to personal privacy or national security interests.

Mr. Speaker, I submit the following statement for the record for myself and Chairman HORN. In the absence of a report on this bill, there are a number of provisions which we would like to clarify, to make our intent crystal clear. Under this legislation, the President is required to appoint the Director of the Holocaust Museum, the Historian of the Department of State, and the Archivist of the United States to the Interagency Group created by the bill. He is also to appoint those agency heads he considers appropriate and maximum of three other persons from within or outside of Government.

The Interagency Group is to report to Congress after one year describing all classified Nazi war criminal records of the United States, the disposition of such records, and the activities of the Interagency Group and affected agencies. The Interagency Group is created for three years and will cease to exist at the end of that time, without reauthorization. This three year sunsetting provision should not be viewed by any agency as a reason for delay. It is our intention that affected agencies should declassify all documents recommended by the Interagency Group as quickly as possible. It is our expectation that all such documents shall become public as soon as possible, preferably within the first year, and most certainly by the end of the three-year period during which the interagency group is in existence.

Senator DEWINE, the author of this legislation in the other body, has indicated his interest in holding early oversight hearings on the implementation of this legislation. The Government Reform and Oversight Committee may hold such hearings as well, and certainly will if there is any indication of stalling on the part of any executive agency. The bill requires not only a report from the Interagency Group, but also notification and explanation by agencies when they apply the exemptions to declassification included in the bill. These provisions were included in this bill in part to ensure that agencies comply with the spirit of the legislation.

Mr. Speaker, while this legislation required the disclosure of Nazi war criminal records specifically related to individuals, it should in no way be interpreted as inhibiting the release of other, more general, records, such as policy directives or memoranda. Indeed, we hope that if such records are uncovered during the search of files this bill necessitates, that they become public along with the rest of the documents.

Further Mr. Speaker, the intent of this legislation is to bring to light information which may be in the files and archives of the United States Government. This may well include information from the post-war period showing a relationship between those agencies and Nazi war criminals. It is not our intent that the exemptions included in the bill be used to shield this type of information from disclosure. We have included the exemptions that currently exist in Executive order. They should not be revoked simply to protect any agency from embarrassment.

Finally Mr. Speaker, the Appropriations Committee in the other body has included language to increase the budget of the Office of Special Investigations at the Department of Justice by 2 million dollars to help implement this legislation. We urge the House Appropriators to agree to that language in the Conference on the Appropriations bill for Commerce, State, Justice and the Judiciary.

Thank you Mr. Speaker, and many thanks to all those who have been involved in developing this legislation, particularly Senator DEWINE.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1379

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Nazi War Crimes Disclosure Act''.

SEC. 2. ESTABLISHMENT OF NAZI WAR CRIMINAL RECORDS INTERAGENCY WORKING GROUP.

(a) DEFINITIONS.—In this section the term—

(1) ''agency'' has the meaning given such term under section 551 of title 5, United States Code;

(2) ''Interagency Group'' means the Nazi War Criminal Records Interagency Working Group established under subsection (b);

(3) ''Nazi war criminal records'' has the meaning given such term under section 3 of this Act; and

(4) ''record'' means a Nazi war criminal record.

(b) ESTABLISHMENT OF INTERAGENCY GROUP.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the President shall establish the Nazi War Criminal Records Interagency Working Group, which shall remain in existence for 3 years after the date the Interagency Group is established.

(2) MEMBERSHIP.—The President shall appoint to the Interagency Group individuals whom the President determines will most completely and effectively carry out the functions of the Interagency Group within the time limitations provided in this section, including the Director of the Holocaust Museum, the Historian of the Department of State, the Archivist of the United States, the head of any other agency the President considers appropriate, and no more than 3 other persons. The head of an agency appointed by the President may designate an appropriate officer to serve on the Interagency Group in lieu of the head of such agency.

(3) INITIAL MEETING.—Not later than 90 days after the date of enactment of this Act, the Interagency Group shall hold an initial meeting and begin the functions required under this section.

(c) FUNCTIONS.—Not later than 1 year after the date of enactment of this Act, the Interagency Group shall, to the greatest extent possible consistent with section 3 of this Act—

(1) locate, identify, inventory, recommend for declassification, and make available to the public at the National Archives and Records Administration, all classified Nazi war criminal records of the United States;

(2) coordinate with agencies and take such actions as necessary to expedite the release of such records to the public; and

(3) submit a report to Congress, including the Committee on the Judiciary of the Senate and the Committee on Government Reform and Oversight of the House of Representatives, describing all such records, the disposition of such records, and the activities of the Interagency Group and agencies under this section.

(d) FUNDING.—There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

SEC. 3. REQUIREMENT OF DISCLOSURE OF RECORDS REGARDING PERSONS WHO COMMITTED NAZI WAR CRIMES.

(a) NAZI WAR CRIMINAL RECORDS.—For purposes of this Act, the term ''Nazi war criminal records'' means classified records or portions of records that—

(1) pertain to any person with respect to whom the United States Government, in its

sole discretion, has grounds to believe ordered, incited, assisted, or otherwise participated in the persecution of any person because of race, religion, national origin, or political opinion, during the period beginning on March 23, 1933, and ending on May 8, 1945, under the direction of, or in association with—

(A) the Nazi government of Germany;

(B) any government in any area occupied by the military forces of the Nazi government of Germany;

(C) any government established with the assistance or cooperation of the Nazi government of Germany; or

(D) any government which was an ally of the Nazi government of Germany; or

(2) pertain to any transaction as to which the United States Government, in its sole discretion, has grounds to believe—

(A) involved assets taken from persecuted persons during the period beginning on March 23, 1933, and ending on May 8, 1945, by, under the direction of, on behalf of, or under authority granted by the Nazi government of Germany or any nation then allied with that government; and

(B) such transaction was completed without the assent of the owners of those assets or their heirs or assigns or other legitimate representatives.

(b) RELEASE OF RECORDS.—

(1) IN GENERAL.—Subject to paragraphs (2), (3), and (4), the Nazi War Criminal Records Interagency Working Group shall release in their entirety Nazi war criminal records that are described in subsection (a).

(2) EXCEPTION FOR PRIVACY, ETC.—An agency head may exempt from release under paragraph (1) specific information, that would—

(A) constitute a clearly unwarranted invasion of personal privacy;

(B) reveal the identity of a confidential human source, or reveal information about the application of an intelligence source or method, or reveal the identity of a human intelligence source when the unauthorized disclosure of that source would clearly and demonstrably damage the national security interests of the United States;

(C) reveal information that would assist in the development or use of weapons of mass destruction;

(D) reveal information that would impair United States cryptologic systems or activities;

(E) reveal information that would impair the application of state-of-the-art technology within a United States weapon system;

(F) reveal actual United States military war plans that remain in effect;

(G) reveal information that would seriously and demonstrably impair relations between the United States and a foreign government, or seriously and demonstrably undermine ongoing diplomatic activities of the United States;

(H) reveal information that would clearly and demonstrably impair the current ability of United States Government officials to protect the President, Vice President, and other officials for whom protection services, in the interest of national security, are authorized;

(I) reveal information that would seriously and demonstrably impair current national security emergency preparedness plans; or

(J) violate a treaty or international agreement.

(3) APPLICATION OF EXEMPTIONS.—

(A) IN GENERAL.—In applying the exemptions listed in subparagraphs (B) through (J) of paragraph (2), there shall be a presumption that the public interest in the release of Nazi war criminal records will be served by disclosure and release of the records. Assertion of such exemption may only be made when the agency head determines that disclosure and release would be harmful to a specific interest identified in the exemption. An agency head who makes such a determination shall promptly report it to the committees of Congress with appropriate jurisdiction, including the Committee on the Judiciary of the Senate and the Committee on Government Reform and Oversight of the House of Representatives. The exemptions set forth in paragraph (2) shall constitute the only authority pursuant to which an agency head may exempt records otherwise subject to release under paragraph (1).

(B) APPLICATION OF TITLE 5.—A determination by an agency head to apply an exemption listed in subparagraphs (B) through (I) of paragraph (2) shall be subject to the same standard of review that applies in the case of records withheld under section 552(b)(1) of title 5, United States Code.

(4) LIMITATION ON APPLICATION.—This subsection shall not apply to records—

(A) related to or supporting any active or inactive investigation, inquiry, or prosecution by the Office of Special Investigations of the Department of Justice; or

(B) solely in the possession, custody, or control of that office.

(c) INAPPLICABILITY OF NATIONAL SECURITY ACT OF 1947 EXEMPTION.—Section 701(a) of the National Security Act of 1947 (50 U.S.C. 431) shall not apply to any operational file, or any portion of any operational file, that constitutes a Nazi war criminal record under section 3 of this Act.

SEC. 4. EXPEDITED PROCESSING OF FOIA REQUESTS FOR NAZI WAR CRIMINAL RECORDS.

(a) EXPEDITED PROCESSING.—For purposes of expedited processing under section 552(a)(6)(E) of title 5, United States Code, any requester of a Nazi war criminal record shall be deemed to have a compelling need for such record.

(b) REQUESTER.—For purposes of this section, the term ''requester'' means any person who was persecuted in the manner described under section 3(a)(1) of this Act who requests a Nazi war criminal record.

SEC. 5. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect on the date that is 90 days after the date of enactment of this Act.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FASTENER QUALITY ACT AMENDMENTS

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3824) amending the Fastener Quality Act to exempt from its coverage certain fasteners approved by the Federal Aviation Administration for use in aircraft, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk will read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 3, line 10, strike our ''and''.

Page 3, after line 10, insert:

(2) a comparison of the Fastener Quality Act to other regulatory programs that regulate the various categories of fasteners, and an analysis of any duplication that exists among programs; and

Page 3, line 11, strike out ''(2)'' and insert ''(3)''.

Page 3, lines 12 and 13, strike out ''paragraph (1)'' and insert ''paragraphs (1) and (2)''.

Mr. SENSENBRENNER (during the reading). Mr. Speaker, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

Mr. BARCIA. Mr. Speaker, reserving the right to object, and I do not intend to object, I yield to the gentleman from Wisconsin (Mr. SENSENBRENNER) for an explanation of his unanimous consent request.

Mr. SENSENBRENNER. Mr. Speaker, I thank the gentleman from Michigan (Mr. BARCIA) for yielding.

Mr. Speaker, H.R. 3824 requires the Secretary of Commerce to review the Fastener Quality Act to assess if its provisions are still needed and to report his findings back to Congress.

The Senate amended H.R. 3824 to require the Secretary to specifically consider other regulatory programs which currently regulate fasteners in making his determination on the continued need for the Fastener Quality Act.

Mr. Speaker, the Fastener Quality Act was signed into law in 1990. This well intended but misguided legislation requires a large percentage of metallic fasteners used in this country to be documented by a National Institute of Standards and Technology (NIST) certified laboratory. Although the legislation has been on the books for eight years and counting, difficulty in developing the regulations of the Act have delayed NIST from implementing the regulations until this year.

H.R. 3824, as passed by the Senate, amends the Fastener Quality Act by exempting certain fasteners produced or altered to the specifications of aviation manufacturers from the new regulations. Aviation manufacturers are already required by law to demonstrate to the FAA that they have a quality control system which ensures that their products, including fasteners, meet design specifications. Subjecting the proprietary fasteners of aviation manufacturers to a second set of federal regulations is redundant and unnecessary. In fact, the FAA has stated that doing so may even undermine the current level of aviation safety.

In addition to exempting certain fasteners used in aviation manufacturing from the provisions of the Fastener Quality Act, H.R. 3824 has two other important functions. First, it delays implementation of the NIST Fastener Quality Act regulations until after June 1, 1999. Second, the legislation requires the Secretary of Commerce to transmit to Congress a report including recommendations or changes to the Act that may be warranted due to changes in the fastener manufacturing process.

Delaying NIST's regulations until next year gives us the opportunity to take a closer look at the Fastener Quality Act, especially considering the scope seems to have grown significantly since the Act was crafted over eight years ago. Originally intended to ensure public safety, today, if NIST regulations were to be

implemented, even every-day household products like garden-hose fasteners and window fixtures could be forced to comply with the additional burdens of the Act. Furthermore, the automotive industry projects the cost of compliance for the motor vehicle industry could be greater than $300 million a year without necessarily enhancing vehicle safety.

As Chairman of the Committee on Science, I have pledged to hold additional hearings on the issue beginning next month. Technology Subcommittee Chairwoman MORELLA will again take the lead on these important hearings, and I would like to thank her for all her support and hard work to date on this important issue. We may find that changes in the fastener manufacturing process have diminished the need for the Fastener Quality Act. H.R. 3824 will give us the time needed to ensure that costly and redundant regulations do not go into force.

H.R.3824 passed the House by voice vote on June 16, 1998. It has wide bipartisan support and has been endorsed by several business associations, including the U.S. Chamber of Commerce. As the Chamber concludes in their endorsement letter, ''H.R. 3824 * * * is an important step to help ensure that America's manufacturing economy and consumers are not harmed by outdated or unnecessary regulations''.

I strongly urge all my colleagues to support this common-sense legislation.

Mr. BARCIA. Mr. Speaker, further reserving the right to object, I want to indicate that the minority has been consulted on this unanimous consent request and that we have no objection to its consideration.

Mr. Speaker, I withdraw my reservation of objection.

Mrs. MORELLA. Mr. Speaker, I am pleased to support swift passage of H.R. 3824 so that it may be sent immediately to the President and enacted into law before the October 25th implementation date for the Fastener Quality Act regulations.

As chairwoman of the Technology Subcommittee which has held a hearing to examine the Fastener Quality Act and Aviation Manufacturing, I can report that there is consensus among the aviation industry, FAA and NIST that a federal quality assurance process already exists to certify the quality and safety of proprietary fasteners manufactured or altered specifically for use by aviation manufacturers. Adding another set of federal regulations and involving another federal agency in that process would hinder the efficiency of aviation manufacturing and add to the costs of production, while potentially degrading the level of safety currently provided by the FAA.

In addition to addressing issues raised about the Fastener Quality Act's impact on the aviation industry, I am pleased H.R. 3824 also includes an amendment that I offered during the Science Committee's mark-up of the legislation to delay the implementation of the Fastener Quality Act's regulations on all other industries until no earlier than June of 1999. The extra time will allow Congress to review the industries affected by the Fastener Quality Act and determine what changes to the Act may be needed.

Without the delay in implementation of the regulations, several industries—including the automotive manufacturing industry—may suffer production delays that will impede product delivery and increase costs. As we all know, increases in production costs result in job-layoffs and higher prices charged to consumers.

As Chairman SENSENBRENNER mentioned, the Technology Subcommittee plans to hold another hearing on this subject after the August recess. As chairwoman of the Subcommittee, I will continue to work with NIST, the automotive manufacturers and other industries impacted by the Fastener Quality Act to avoid promulgating costly regulations which are unnecessarily burdensome.

I would like to thank Chairman SENSENBRENNER and Technology Ranking Member BARCIA for their important work on this critical measure. I urge all my colleagues to support this important legislation.

Mr. BLILEY. Mr. Speaker, I rise in strong support of H.R. 3824, a bill amending the Fastener Quality Act. The Committee on Commerce was named as an additional committee of jurisdiction on this bill and has had a long-standing interest in the issue of fastener quality and the Fastener Quality Act. This interest goes back to the 100th Congress, at which time the Committee undertook an investigation of counterfeit and substandard fasteners. This investigation resulted in the issuance of a unanimously approved Subcommittee report entitled ''The Threat from Substandard Fasteners: Is America Losing Its Grip?'' which ultimately led to the approval by our respective committees of the Fastener Quality Act of 1990.

H.R. 3824, as approved by the House, would amend the Fastener Quality act in two ways. First, the bill exempts fasteners approved for use in aircraft by the Federal Aviation Administration from the requirements of the Act. Secondly, it delays implementation of the final regulations until the Secretary of Commerce and the Congress have had an opportunity to consider developments in manufacturing and quality assurance techniques since the law was enacted.

During the consideration of the bill by the other body, the study to be conducted by the Secretary of Commerce was amended to include an analysis of other regulatory programs which cover fasteners and the extent to which there may be duplication between the Fastener Quality Act and those programs. The elimination of duplicative programs is an important and worthwhile goal, and the Committee on Commerce has no objections so that amendment.

It is my understanding that the Secretary of Commerce has delayed the implementation of the rules promulgated pursuant to the Fastener Quality Act in anticipation of this legislation. Because of the importance of this bill, and the cooperation of Chairman SENSENBRENNER in addressing our concerns throughout the process, the Committee on Commerce has chosen not to exercise its rights to separate consideration of the measure. However, we have been involved throughout the House's consideration of the legislation, and would urge its adoption.

Mr. Speaker, I believe that H.R. 3842 should be sent to the President for his signature, and urge my colleagues support this bill as well.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from Wisconsin?

There was no objection.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3824.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

BIPARTISAN CAMPAIGN INTEGRITY ACT OF 1997

The SPEAKER pro tempore (Mr. GOODLATTE). Pursuant to House Resolution 442 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2183.

☐ 1009

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2183) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes, with Mr. EWING (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole House rose on Monday, August 3, 1998, amendment No. 13 by the gentleman from Connecticut (Mr. SHAYS) had been disposed of.

Pursuant to the order of the House of Wednesday, August 5, 1998, no further amendment is in order except the following amendments:

Amendment No. 15 by the gentleman from Massachusetts (Mr. TIERNEY), debatable before offered for 40 minutes; amendment No. 7 by the gentleman from California (Mr. FARR) debatable before offered for 40 minutes; amendment No. 5 by the gentleman from California (Mr. DOOLITTLE) debatable before offered for 40 minutes; amendment No. 4 by the gentleman from Wisconsin (Mr. OBEY) debatable before offered for 40 minutes; and amendment No. 8 by the gentleman from Arkansas (Mr. HUTCHINSON) debatable before offered for 60 minutes.

Each amendment may be offered only in the order stated and shall not be subject to amendment. The additional period of general debate prescribed under House Resolution 442 shall not exceed the time stated for each amendment pursuant to the order of the House and each amendment shall not otherwise be debatable.

Pursuant to the order of the House of the legislative day of Wednesday, August 5, 1998, it is now in order to debate

the subject matter of the amendment printed in the CONGRESSIONAL RECORD as No. 15.

Pursuant to House Resolution 442 and that order, the gentleman from Massachusetts (Mr. TIERNEY) and a Member opposed will each control 20 minutes.

The chair recognizes the gentleman from Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I voted for the Shays-Meehan bill. I view that passage as one step in the right direction, an important step but a step toward where we need to end up. I voted for the Shays-Meehan bill because it will eliminate soft money and the influence of soft money but it still, even after passage, preserves an element of the status quo and the current way that we do business.

The Tierney substitute amendment proposes an alternative to the private money changes. It is called the clean money option. It is an approach that has already been passed into law in the State of Vermont by its legislature there and by the main ballot referendum.

Under a clean money system, a candidate who agrees to forego private contributions including his or her own and accept spending limits receives a limited allocation to run their campaign from publicly financed clean elections funds. It is not a blank check. Participating candidates must meet all local ballot qualification requirements and gather a significant number of $5 contributions from the voters they seek to represent.

Clean money campaign reform is both simple to understand and sweeping in scope. It is a voluntary system that meets the test of constitutionality under the Supreme Court's ruling in Buckley versus Valeo. It effectively provides a fair playing field for all candidates who are able to demonstrate a substantial base of popular support. It strengthens American democracy by returning political power to the ballot box.

Few of the other approaches currently under debate come close to the comprehensive solution because they all preserve a central role for private money. What sets the clean money campaign reform apart is that it attacks the root cause of the crisis that is perceived in our system, namely a system founded on private money that comes from a small fraction of the electorate and is dominated by wealthy special interests.

As elected public officials, we should be seen only to owe our allegiance to the people who sent us here, not the largest campaign contributors. It comes down to this, Mr. Chairman: Who should be perceived to own the office that we serve, the public- or the private-money interests?

The public gets it. They know what needs to be done. Various clean-money campaign reform bill ballot initiatives and grassroots movements are now in motion in more than 3 dozen communities. If we cannot act here in Washington to change the system, the voters will increasingly do it for us, Mr. Chairman. So we should all get ready because it is happening in our respective states.

This proposal is sweeping in its breadth and it deserves full deliberation and full debate. It could benefit from the input of the Members of this Congress on both sides of the aisle. It is unfortunate, Mr. Chairman, that we did not get a chance to go through full committee hearings to have the full input of this body so that we could make sure that we have the complete support. And we all saw how much work was done and the belaboring that had to be completed just to get the Shays-Meehan aspect through this Congress.

Mr. Chairman, Shays-Meehan is a part of this bill, but we need to do more. The commission in Shays-Meehan, hopefully, will allow us to address this, to observe the work that is done in the communities, and move forward.

The CHAIRMAN pro tempore. Is the gentleman from Ohio (Mr. NEY) opposed to the amendment?

Mr. NEY. Yes, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman from Ohio (Mr. NEY) is recognized for 20 minutes.

Mr. NEY. Mr. Chairman, I reserve the balance of my time.

Mr. TIERNEY. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. DAVIS).

□ 1015

Mr. DAVIS of Illinois. Mr. Chairman, I voted for the Shays-Meehan bill. I did so because it goes a long way towards moving us in the direction of cleaning up our campaigns. But it really did not go far enough, and the level of confidence is so low that we need to go for the jugular. Tierney goes much further. In order to clean up, we need to seriously take some of the money out of politics, provide some public financing for all Federal campaigns, set a limit on Federal candidates' use of personal funds, provide voters with enough unfiltered information so that they can make rational decisions that are informed, shorten the election cycle, create a truly independent regulatory agency to monitor campaigns and elections, require paid lobbyists to publicly report who and when they lobby, create a universal voter registration system, and require full disclosure of all independent expenditures. As I indicated, I voted for Shays-Meehan but I think we need to go for the jugular and really clean up our elections. I support the Tierney substitute. It goes much further.

Mr. TIERNEY. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, I strongly agree that campaign finance reform must be passed by this House and this Congress and I remain committed to working with my colleagues to ensure swift passage of the Shays-Meehan bill. The present campaign finance system is a blot on our democracy. In fact, if it is not tamed, if we do not fix this broken system, future historians may write that American democracy had a good 200-year run but then like Roman democracy it evolved into an oligarchy. We must fix this.

The public already believes, partly correctly, that this House does the bidding mainly of the special interests and the big money people and that the little people, the ordinary people, cannot really affect what we do. There is more than an element of truth to that. The Shays-Meehan bill is a great and essential step, but it is limited. It deals with the soft money plague, it deals with the sham issue ads that advocate for a candidate or against a candidate, but if we pass the Shays-Meehan bill, as I believe it is essential that we do, it will reform us all the way back to 1992 when I first came here and we were talking about the great need for campaign finance reform.

Mr. Chairman, this substitute cleans up the system. It says for those who opt into it, we are not giving an advantage to candidates of great personal wealth or who sell themselves out to the special interests or to incumbents. We are going to level the playing field. Everyone will get a free frank and cheap TV ads and public financing; almost complete, limited amount but almost complete public financing for the campaign. That is the only way to change our system from what it is becoming, a system of one dollar, one vote, back to what it was supposed to be, a system of one person, one vote. We have to give challengers a real chance at incumbents. We have to make sure that we do not lock in incumbents, millionaires or celebrities. We have to restore democracy to this great country and preserve our democracy. I submit that ultimately we will have to do this. This is the best way to do it. I urge support for the clean money substitute which will also be on the ballot in New York this year. I assume that we will become the next city and State to advance this cause.

Mr. TIERNEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York (Ms. SLAUGHTER).

Ms. SLAUGHTER. Mr. Chairman, I certainly commend the gentleman from Massachusetts (Mr. TIERNEY) as a freshman member of this House for the wonderful work he has done in advancing the cause of cleaning up the campaign finance system. I want to call particular attention to his provisions that provide free television time for candidates. This is a cause that I have long championed. The gentleman from Massachusetts' provisions and my own bill start from a fundamental and well-established premise that the Nation's airwaves belong to the American people. The measure would require broadcast stations as a condition of licensing to provide free television time in modest amounts for political candidates.

The reasoning behind the free television time is simple. In the past election season, spending levels for Federal elections shattered all previous records, and broadcast advertising is the single most expensive factor in Federal elections. House candidates spend more than a quarter of their total campaign funds on broadcast advertising. The figure last year was closer to two-thirds.

In 1972, political candidates spent $25 million on television commercials. In 1996, they spent $400 million, an astonishing increase. These dramatic increases in the price of advertising time are the major cause of the spiraling cost of running for office in our country and the ensuing money chase. Given the vast sums of money required to run for office, wealthy individuals have a significant advantage over the ordinary citizen candidate. That is hardly representative government. The cost of running for political office in America has simply become too high.

The time for this legislation has come, Mr. Chairman. Last year broadcasters received a windfall in the form of a whole new spectrum of digital TV channels. In light of this gift and the huge new revenue sources it will open up, these stations can certainly afford to give a little back in the name of the public interest and in the public good. All we are really asking them to do is very little.

I urge my colleagues' support for this measure.

Mr. TIERNEY. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Chairman, to my mind the real strength of this democracy lies in the fact that every citizen, regardless of their circumstances, has the opportunity to participate fully in the electoral process, including the opportunity to run for office. And that includes, of course, the Congress of the United States. Unfortunately that principle works more in theory than it does in practice under the present set of circumstances. That is why campaign finance reform is so critically important and that is why this particular approach to reforming the way we finance our campaigns, that which is offered by the gentleman from Massachusetts, is so much to the point. Because it provides that opportunity for every citizen in a real sense. Under the provisions of this legislation, should it become law, people could run for the Congress regardless of how well or poorly connected they might be. Under the provisions of this bill, people do not have to have personal fortunes or be able to raise huge amounts of money in order to finance political campaigns. This legislation provides the financial wherewithal for even those of the most modest means who are capable and interested in participating in the public process to do so and to run for public office and to make a real, substantial contribution. It realizes fully and completely, more so perhaps than at any other time in our history the full potential of the democratic process, by making every citizen eligible. It frees candidates and elected officials alike of the drudgery and the demeaning process of having to raise enormous amounts of money in order to finance campaigns. This is real campaign finance reform. It is what we need to open up this process. Among other things, it requires that the public means of discourse in our country, principally radio and television, are made available to all candidates equitably and openly. I support this bill. I hope others will, too. It is real campaign finance reform. It will do the job in a meaningful and complete and comprehensive way.

Mr. TIERNEY. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. MILLER).

(Mr. MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. MILLER of California. Mr. Chairman, I rise in support of the Tierney amendment for clean campaigns. I want to commend the gentleman from Connecticut (Mr. SHAYS) who is here on the floor this morning and the gentleman from Massachusetts (Mr. MEEHAN) for all of their efforts to pass the Shays-Meehan bill. It is a historic step in campaign finance reform, it is a historic step for this House to pass it and hopefully in September the Senate will find the courage to do the same and the President will sign that bill. But even after the signing of that bill and that historic reform, we are still left with the system that requires the addiction of politicians to special interest money. We are still left with the system where Members of the House of Representatives and Members of the Senate are required every day to go to the Republican headquarters or to the Democratic headquarters and get on the phone and call people they do not know who represent special interests and ask them for $1,000 or $5,000 to fund their campaigns, then come back here when the bell sounds for a vote and vote for or against those very same parties. Nobody in America believes that that is a pure system. Nobody in America believes that that is a system without conflicts of interest. And nobody in America believes that that is a system that is not corroding and not corrupting the democratic principles of the House of Representatives and of the United States Senate of this country. That is why we have got to take the next step. We have got to take the next step toward clean money and clean campaigns. That is what the Tierney legislation does. That is what the people of Vermont and the people of Maine have said they want. They want to break this link between special interest contributions and the phone calls that their members in the State legislatures had to make and all of the visits and all of the parties to raise this special interest money. They said, ''We had rather put up our own money and make sure you're working for us as opposed to the special interests.'' That is what the Tierney legislation does. I want to commend the gentleman from Massachusetts for his effort on this legislation.

People will tell you that you can never have public financing of campaigns, that the public will never go for it. What makes them think the public is going for the system we have today? Every campaign cycle, we raise more and more money from the special interests and every campaign cycle we spend more and more money on the elections, and every campaign cycle fewer and fewer Americans show up to vote, because they do not believe it is on the level. They do not believe that challengers have a chance. They do not believe that the incumbents are listening to them. They do not believe when people are elected to office that they represent them. They believe that they represent the $1,000 contributor, the $5,000 contributor, the $100,000 contributor. They are not too far wrong. That is why we need the clean campaign, clean money bill. That is why we need to break this addiction to special interest money and that is why we need the Tierney bill. I want to commend the gentleman for having the courage to offer this legislation.

Mr. TIERNEY. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts (Mr. MEEHAN).

Mr. MEEHAN. Mr. Chairman, I rise today to thank my colleague from Massachusetts, another outstanding member of the freshman class dedicated to reform, for offering this alternative. In a perfect world, the Congress would pass a measure like the Tierney substitute. The Tierney proposal would provide full public subsidies as well as free broadcast time to Federal candidates. If you really look at our election system to the extent that we are able to reduce the amount of private money and remove private money from elections and instead have public funding, that is the cleanest way to have an election.

The other thing that is critical with this proposal is the fact that it looks at broadcast time. If we look around the country, it is obvious to see that the reason congressional campaigns and Senate campaigns and presidential campaigns are increasing, the costs are increasing dramatically, it is because of television time. One of the things that my partner from Connecticut in working on our legislation, the Shays-Meehan bill, one of the things that we worked on with trying to get in our comprehensive bill was a way to get incentives for people to agree to spending caps and provide incentives by cutting the cost of television. So I think my colleague from Massachusetts gets directly at the heart of what is corrupting campaigns in America.

I think in a more perfect Congress, all campaign finance proposals would include a public financing element, because only when we take this private

money out of the system will the ties between money and legislating be conclusively severed.

My colleague's substitute is also important because I think it highlights the importance of the commission made in order by the Shays-Meehan bill. There are a lot of great ideas in this House of Representatives for changes we ought to make in our campaign finance system. Added by an amendment offered by the gentlewoman from New York (Mrs. MALONEY) and the gentleman from Michigan (Mr. DINGELL), two other heroes of reform in this Congress, the commission provision of the Shays-Meehan bill will give the Congress an opportunity to consider other important reform proposals like the Tierney proposal for public financing, for free air time and for all of the proposals that we think may help to lessen the influence of special interests in congressional elections across this country.

I know that my friend from Massachusetts has worked diligently within the freshman class on campaign finance reform. I want to say, there are so many freshman Members of this House, so many who have been so dedicated to campaign finance reform, I want to make it clear, we would not be where we are today, on the verge of passing historic campaign finance reform, if it were not for the efforts of the gentleman from Massachusetts and the other freshman Members from throughout this country who have stood with us, stood with us on reform, worked with us on proposals, supported the Shays-Meehan legislation and made it a priority.

□ 1030

Mr. Chairman, I thank my colleague for his commitment on this issue.

Mr. NEY. Mr. Chairman, I yield back the balance of my time.

Mr. TIERNEY. Mr. Chairman I yield myself such time as I may consume.

Mr. Chairman, I want to just associate myself with all the remarks of the colleagues who spoke previously on this issue. I want to say that this is what the clean-money, clean-election bill essentially does. It eliminates the perceived and the real conflicts of interest caused by the direct financing of campaigns with private interests. It limits campaign spending. It allows qualified individuals to run for office regardless of their own personal economic status or their access to large contributors. It frees candidates and elected officials from the burden of continuous fund-raising. And it shortens the effective length of the campaigns and deceases the cost of campaigns by forcing the broadcasters to step forward with their responsibility in return for the large amounts of spectrum they receive for very little contribution on their side. It rids of the system of the disfavored soft money. It is voluntary, giving incentives for people to get involved with the system and making sure that people find out the better alternative. It leaves no one unilaterally disarmed. It simply puts a fair playing out there, and the public gets back its elective process. The best organized candidates with the best messages win, and so do the voters.

That said, Mr. Chairman, I understand, as the gentleman from Massachusetts (Mr. MEEHAN) said, this is not a perfect world. In a perfect world this bill would come before this body, would be deliberated fully, would get the imprint of all the Members, would be perfected and would be passed, and it would become the law of this land. But right now we all saw the effort it took to get Shays-Meehan forward, and we will not in any way be seen as stepping in the path of that. We are going to make sure that Shays-Meehan goes through this House, that it gets brought over to the other body, that hopefully public opinion, individuals, as well as editorial boards, will hold them to the process of this year passing at least the Shays-Meehan ban on soft money and further disclosure for fair elections. That part will go, and then hopefully the commission under the Shays-Meehan bill will make sure that we get a chance to go where the public already is on this.

Let me close, Mr. Chairman, if I would, with the words of the late senator from Arizona, Barry Goldwater. He said:

> The fact that liberty depended on honest elections was of the utmost importance of the patriots who founded our Nation and wrote the Constitution. They knew that corruption destroyed the prime requisite of constitutional liberty, an independent legislator free from any influence other than that of the people. Applying these principles to modern times we can make the following conclusions. To be successful representative government assumes that the elections will be controlled by the citizenry at large, not by those who give the most money. Electors must believe their vote counts. Elected officials must owe their allegiance to the people, not to their own wealth or to the wealth of interest groups who speak only for the selfish fringes of the whole community.

Mr. Chairman, we should all stand behind those words, we should all move Shays-Meehan forward, we should then have the commission look at other alternatives like this Canady substitute amendment. This body, which has such genius within it, should look those terms over, add its comments to it and improve this bill and perfect it so that we have a vehicle that reflects what the people in this country want, which is clean elections with clean money and not beholden to special interests.

Mr. Chairman, I thank the colleague from Ohio, and I thank all of my colleagues for speaking on this, and with the Chair's indulgence I look forward to passing Shays-Meehan through this House, through the Senate and having it become law, and in future years, Mr. Chairman, I look forward to us getting to where the public already is, clean money, clean elections.

The CHAIRMAN pro tempore (Mr. EWING). Does the gentleman from Massachusetts (Mr. TIERNEY) intend not to offer his amendment?

Mr. TIERNEY. Yes, Mr. Chairman, for the reasons stated we will not be seen as interfering with the process of Shays-Meehan.

The CHAIRMAN pro tempore. Amendment No. 15 not being offered, as announced by the gentleman from Massachusetts (Mr. TIERNEY), pursuant to the order of the House of the legislative day of Wednesday, August 5, 1998, it is now in order to debate the subject matter of the amendment printed in the CONGRESSIONAL RECORD as No. 7.

Pursuant to House Resolution 442 and that order, the gentleman from California (Mr. FARR) and a Member opposed each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. FARR).

Mr. FARR of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise on my bill, which is the substitute bill. It is called the Farr bill, or better known around here as H.R. 600. This bill was introduced on February 5, 1997, a year and a half ago. It has 106 cosponsors, all of them Democrats. It is a shame that we could not get bipartisan support on this bill.

Mr. Chairman, it is a comprehensive campaign reform. Unlike the Shays-Meehan bill, it is a bill that still to this day in the stage it is on the floor is comprehensive. It is based on four principles of campaign reform, the principles of fairness; that is, the bill should not favor one party over another; the principle to reduce the influence of special interests. We have the bill that reforms PAC contributions, large donor contributions, bundling and soft money. Third, the principle of level playing field; that is, make campaigns competitive by enacting spending limits. And fourth, to assess to make the system accessible to nontraditional candidates, make it possible for minorities and for women to run for this House of Representatives. This House ought to reflect the composition of the people it governs in the United States, and, therefore, we need more people of color and more women in office.

Mr. Chairman, how are we going do that under the tradition that we have established in America that just says, ''You can spend as much money as you can raise,'' and we go on, and on, and on.

What this bill does is it sets spending limits, it sets new PAC limits, it sets new individual contributions limits, it eliminates bundling. We made an exception to those organization who do not come up here and lobby, that do not make efforts to campaign on the Hill to have connection between the money and their issue on the Hill. So, organizations like Emily's List or Wish List are still available under our bill. It eliminates soft money, but it does one thing different than the Shays-Meehan bill does: it still allows for States to do voter registration, voter build up, essentially allowing at the State level people to be encouraged to get into the public process of electing

their Members of Congress. It broadens the definition of express advocacy so that those third party, undisclosed, sort of hit pieces as we have come to know them, will no longer be allowed to be done without telling the people whose doing it, and it establishes a lower cost rate for those candidates that voluntarily pledge to limit their spending so that they will get cheaper rates at television and radio.

That is essentially what the bill does.

Now the history of those who have watched this debate, who have listened to debate and have written about campaign reform, they know that this has all been historically proposed by the Democrats. I hate to stand here in a partisan way in this Chamber, but we have to because the history of the effort is that the Republican party has opposed all efforts to do campaign reform. This bill is a good example. The bill came out of the bill that President Bush vetoed in 1992. If my colleagues look over the history, they will see that there is constant defeat of efforts of campaign reform spelled out in the congressional history.

Mr. Chairman, in this decade alone a bill similar to the one that is on the floor right now passed this House in 1990. Another one passed when it came back from the Senate in 1991, and Bush vetoed it in 1992. In 1993 the Democrats passed out a comprehensive campaign reform bill, filibustered in the Senate in 1994. Then guess what happened? The Republicans took over this House, and we have seen not one, nada, nothing in campaign finance reform.

Thank God for the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN), two colleagues here who have put together an effort similar to mine, started at that same place, started at the same time. They negotiated like mad, and had they not had the courage and particularly the gentleman from Connecticut (Mr. SHAYS) to stand up against his leadership and tell him that time was now to bring the bill to the floor we would not have had the debate nor the successful vote even though their bill is much watered down, much different than when it started out, much compromise, and, as the newspapers have said, the effort is not over yet.

So this challenge, this bill, this moment, is whether we in Congress can stand up and really do comprehensive campaign reform.

Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. FAZIO).

Mr. FAZIO of California. Mr. Chairman, I want to thank my colleague, the gentleman from California (Mr. FARR), for yielding me this time, and I rise to commend the hard work and dedication of my good friend.

I have spent more than half of my 20 years in Congress trying to convince my colleagues of the need for comprehensive campaign finance reform. Throughout the years Republican opposition has prevented the enactment of meaningful campaign finance reform.

For example, in 1987 our Senate colleagues showed an early willingness to pass campaign reform. However, it failed as a result of GOP opposition. In 1990 the House and Senate voted for campaign spending limits, but the Senate Republican leadership stalled on appointing conferees and, as a result, the differences were unsettled and the bill died. In 1991 the House and Senate passed a campaign finance reform bill, but President Bush vetoed that conference report in 1992. In 1993 both the House and the Senate again passed campaign reform bills, but in 1994 the Republicans blocked the appointment of conferees in the Senate. As a result another reform bill died. In 1996 Republicans offered a sham campaign finance reform bill that was defeated when more than a hundred members of their own party joined all Democrats in opposition.

Mr. Chairman, over the last decade Democrats have been leading the fight to fundamentally reform our campaign finance system. In 1996 my colleague the gentleman from California (Mr. FARR) offered a spending limit bill which would have fundamentally reformed the campaign system in this country. The Farr bill would level the playing field for candidates who agree to voluntarily limit their campaign spending. It would limit the influence of wealthy donors on our campaigns and encourages small local contributors. Like the Shays-Meehan bill, the Farr bill addresses the huge unreported spending of soft money and independent expenditures in a comprehensive manner.

The Republican leadership of this House has done everything possible to prevent real campaign reform from coming to this floor. At best, if we stay together now, we will enact these two important reforms through the Shays-Meehan bill, but we will not have taken the need for comprehensive reform off the table. It remains a responsibility for future congresses.

Mr. Chairman, this is my last term in Congress. During my tenure I have worked hard to achieve comprehensive campaign reform that would restore the trust and encourage greater public participation by the American people. I hope the Members of the 106th Congress will make this a priority and summon up the courage to pass a complete comprehensive reform bill like the Farr bill that has been blocked repeatedly by Republican leadership in this House and in the Senate.

Mr. HUTCHINSON. Mr. Chairman, I rise in opposition.

The CHAIRMAN pro tempore. The gentleman from Arkansas (Mr. HUTCHINSON) is recognized for 20 minutes.

Mr. HUTCHINSON. I yield myself such time as I might consume, Mr. Chairman.

Mr. Chairman, first of all I want to compliment the sincerity of the gentleman from California (Mr. FARR) in his work on campaign finance reform, and even though we might have some disagreements on the approach, certainly he has been a very active participant in this process, and I certainly extend my compliments to him for the work that he has done.

And, as we worked on the Freshman Task Force, which I cochaired with the gentleman from Maine (Mr. ALLEN) my Democrat colleague, we heard a lot of different ideas, and if I recall correctly, the gentleman from California (Mr. FARR) came and gave testimony before the hearing of our task force which was very helpful. But we made a decision as we went through this that we wanted to seek campaign finance reform enacted into law, and so we evaluated many different ideas, one of them that was addressed by Mr. FARR that had some interesting ideas, but there was not any practical way it was going to go through this body or through the Senate, and it perhaps raises some constitutional questions.

□ 1045

So, for that reason, those ideas were not adopted by the freshman task force, and we came up with a broad-based bipartisan bill that will be offered later on the floor today that I believe has a real chance of passing the Senate, but also being signed into law and being upheld by the United States Supreme Court. I guess that is my greatest objection to the legislation being proposed by the gentleman from California. I believe that it has some constitutional problems.

One of the things that is mentioned in his proposal is there is a 35 percent tax on contributions of candidates who do not participate in the voluntary spending limits. I believe that that has some serious constitutional implications because, for the first time in our history, we would be imposing a revenue-generating source for the government on free speech. All of a sudden, the tax money is going to be coming in from candidates, and it would certainly increase the bureaucracy and power of the Federal Elections Commission. So that is an area that I think has some severe constitutional problems.

Also, by the public benefits that flow in that direction with the reduced postal rates, the benefits that go of public money, public subsidized money to candidates, I think raises some questions and obviously some bureaucratic problems. It gives a preference clearly to mailing over television, which is interesting, because it requires reduced rates by television, and also increases the postal opportunities.

But one thing I did want to compliment the gentleman on, and I wanted to yield to the gentleman for an answer to a question, if he might, I just wanted to be able to pose a question to the gentleman, and also to compliment the gentleman.

I noticed that in the gentleman's proposal and in his speech he made reference to the fact that he bans soft

money to the Federal political parties. I think that that is the right approach. But then you made the point that you did not, if I understand correctly, ban soft money by the state parties. That way they could utilize that money for get-out-the-vote efforts. Am I understanding the bill correctly?

Mr. FARR of California. Mr. Chairman, will the gentleman yield?

Mr. HUTCHINSON. I yield to the gentleman from California.

Mr. FARR of California. Mr. Chairman, that is one thing the gentleman is correct on. But the gentleman is absolutely wrong on the fact there is any public money on this and it is unconstitutional, because it is totally voluntary on the part of the candidate.

Mr. HUTCHINSON. Mr. Chairman, reclaiming my time, I appreciate the answer, but if I could focus on the similarity of the gentleman's bill with the freshmen's bill, you made a decision in your bill that you should ban soft money to the Federal political parties, but not ban it to the state parties. I think that is exactly the right approach, and if you could take that out of there and build a proposal around there, I think that is very helpful.

That is quite in contrast to the Shays-Meehan approach that, in my judgment, would federalize the state election process by saying that the states could not utilize money that is lawful in that state for get-out-the-vote efforts for their legislative candidates or for their gubernatorial candidates. So I compliment the gentleman for recognizing that distinction and recognizing the role of the states. I think the gentleman has done a very, very effective job on that particular point.

I mentioned the fact, and, again, this is a very well-intentioned proposal and I apologize if I misstated it in any fashion, and it is going to have a good vote today I would anticipate, but I think we have to look at what we are trying to accomplish, which is signing reform into law. We have to look at what the Senate is going to do and whether they are going to enact anything during this session.

I noticed in one of the Washington publications there was an interview with some of the Senators over there as to what they are going to accept. They pointed out that on the Shays-Meehan proposal, which is really I think is more moderate perhaps than the proposal by the gentleman from California (Mr. FARR), but they said ''been there, done that; dead on arrival.''

I think the reform people have got to be concerned about what is new over there, and they could possibly have an opportunity of generating more support and more votes. So I think we need to take that approach, and that is why I think the freshman bill, in contrast to some of the other proposals, really elevates the potential for enacting campaign finance reform legislation this year.

Mr. Chairman, I reserve the balance of my time.

Mr. FARR of California. Mr. Chairman, I appreciate the kind remarks by the gentleman.

Mr. Chairman, I yield three minutes to the gentleman from Connecticut (Mr. GEJDENSON), a person who led this effort before I ever got elected here. I am sort of the ''Son of Sam'' on this issue to Sam Gejdenson from Connecticut, who has been a great leader and historian on campaign finance reform.

Mr. GEJDENSON. Mr. Chairman, I would like to thank the gentleman from California (Mr. FARR) for his continued efforts.

Frankly, I come to the floor somewhat frustrated today. Instead of being involved in a process whose intent is to come out with the kind of positive legislation that the American people seek, to lessen the importance of money and the time spent raising money, we are in a game. This is worse than the Iron Man or the Iditarod.

The Republican leadership of the Congress has us in an endless race, with ambushes at every step of the way. We cannot have an honest discussion about the proposal of the gentleman from California (Mr. FARR) because we have a process that has been so rigged and so extended, there is really only one shot to move forward. So we come here today not so much in debate, but in trying to bring one of the most tortured processes that I have seen in the Congress to its conclusion.

The American people are not going to be thrilled with what happens here. We will hopefully get out a bill that makes some major reforms. It will then clearly be killed by the Republican leadership in the Senate. It has taken us long enough to get here, and it is going to be awfully hard to break that hold. That has been the record of not just the leadership of this Republican Congress, but of the Republican Congress over the last 30 years, first the overriding efforts of Richard Nixon's veto to establish a commission simply to record and keep track of contributions. The major campaign finance reform in the mid-seventies, gutted by the Supreme Court in Buckley versus Valeo, moved us a step forward.

The American people are speaking with their feet. The old right wing in America, when talking about communism and its failure, rightly noted that communist citizens were not allowed to vote in their countries, so they voted with their feet. They fled the process.

As we have seen an increase of funding, we have found that voter participation has gone down and down. The more we talk about large contributions, big money and television advertising, the average citizen feels less important to this process.

This is not simply a matter for partisan advantage. We are driving a dagger in the heart of this democratic system. A system like ours, where there is opportunity and freedom, and less than half the public chooses to exercise the most minimal participation in its democratic institutions, is a democracy in danger. It affects policy, it affects perception, and, in a democracy, perception soon becomes reality.

Most Members of Congress spend all too much time raising money. The American public is confused by a Congress unable to deal with some of the most critical issues before it. Reform is necessary now, and from here I hope we go to a real debate to extend a more comprehensive reform like that of the gentleman from California (Mr. FARR). I commend him for his effort.

Mr. HUTCHINSON. Mr. Chairman, I yield three minutes to the gentleman from Wisconsin (Mr. JOHNSON).

Mr. JOHNSON of Wisconsin. Mr. Chairman, I rise today in opposition, particularly to key parts of the Farr substitute as cited earlier by the gentleman from Arkansas (Mr. HUTCHINSON).

I rise in opposition to the government mandates in the Farr substitute for the reduced air time on broadcast television, and I speak today as someone who has had more than 30 years of experience in the broadcast media before I began in elected office. So I come to this debate today with what I think is a unique perspective on the news gathering side of broadcast media, but also an appreciation for all of the TV ads that we see on TV every day.

What the Farr substitute will do by mandating even further reduced TV ads will not reduce the amount of TV ads, but proliferate them. People are angry enough about the tone and the amount of negative advertising. This will only increase it.

I have to be clear though that I strongly support changing the way that campaigns are paid for, and that is why I voted for the Shays-Meehan bill earlier this week, and that is why I am also an original cosponsor of the bipartisan freshman campaign finance reform bill. We would not have gotten this far if it had not have been for the efforts of everyone who has spoken today. But we have to go after the important items, soft money and the anonymous faceless outside interest groups that now do not have to disclose who gives them their money. They increase voter access to information.

One issue though in this Farr substitute before us has little to do with how campaigns in fact are paid for. Mandating TV stations to reduce already reduced campaign advertising rates, which already have to be paid at the lowest rate available, the only change we will see is the candidate will be able to purchase double the ads. Are the American people clamoring for more TV political advertising, more negative advertising? Voters want, I think, more credible information, and not more ads.

There was a survey in July of 1977 that found that voters rated debates in forums sponsored by TV and radio as well as broadcast news coverage as the

two most helpful sources of political information. That is because, for the most part, people get their source of information from TV and then from radio. They rated ads by candidates as the least helpful.

There are forums provided. Let me remind you, the broadcast medium has provided for $148 million in free air time given in election years through debates, forums, election specials, where free and open debate is held and people can make judgments.

We need to encourage a positive environment in the broadcast media, not create a new burden on TV and radio. Eliminating soft money is going to close the loopholes that have created the flood of negative TV ads in recent years by national parties. That will give the American people the forum they want and require better identification from anonymous outside interest groups, giving voters more information on how to make their decision. That will give the American people the reform they are seeking. But having the government force only the broadcast media to slash their ad rates is wrong, and I oppose the Farr substitute.

Mr. FARR of California. Mr. Chairman, I yield four minutes to the gentleman from Massachusetts (Mr. MEEHAN), a cosponsor of the bill and one of the persons that has been working hard and diligently to bring us campaign finance reform.

In the process of yielding, I would like to respond that the reduced limits in this bill and originally in the Shays-Meehan bill do not cost the taxpayers anything. They are under existing business rates, rates that are given to nonprofits. They still have to pay for it, but it is a reduced rate that is in the public interest. It says the candidates ought to be treated just like we treat nonprofit entities for mailing and for buying public service announcements. They have to pay for those, but they pay at the lowest rate. That is what this bill does.

Mr. Chairman, I yield to the gentleman from Massachusetts (Mr. MEEHAN).

The CHAIRMAN. The gentleman from Massachusetts (Mr. MEEHAN) is recognized for four minutes.

Mr. MEEHAN. Mr. Chairman, let me first of all say to my colleague from California (Mr. FARR), it seems like it was not that long ago when you and I came to this House, and one of the first things that we did was sat down and worked on campaign finance reform. And if one looks at over a period of the last few years, we have spent literally hours upon hours, days upon days, that have become weeks upon weeks, months upon months, trying to work out a bill that we would be able to get a majority for. I just want to compliment the gentleman from California (Mr. FARR) for his commitment on this issue, his unwavering commitment. I know that as we are on the verge, I hope today, of passing campaign finance reform with the Shays-Meehan bill, I want to make it clear we would not be here at this point in time if it were not for the commitment that the gentleman from California (Mr. FARR) has had to campaign finance reform.

The legislation that I cosponsored, I voted for, I believe my colleague from Connecticut (Mr. SHAYS) has voted for this legislation on occasion, is an important comprehensive piece of legislation. Many of the provisions that are in the bill are provisions that were in the Meehan-Shays, Shays-Meehan comprehensive bill, when we talk about trying to find incentives, voluntary spending limits, to keep the cost of Congressional elections down. The way that this bill would do it would be to provide incentives through low cost television advertisement and provide low cost mailings.

□ 1100

The money for the low-cost mailings would come from franking, not allowing franking during election years. The money we would save there would help pay for congressional campaign mailings to go out.

This is a good bill and it is a strong bill. It is a bill that I have always supported. It is a bill that has been an integral part of all of the conversations and dialogue that we have had over the last few years about campaign finance reform.

The great thing about the Shays-Meehan legislation is that the commission bill that has been added to the Shays-Meehan bill is a great vehicle for us to push forward with many of the comprehensive ideas for reform that we have.

Specifically, when are we going to do something about the high cost of running congressional campaigns in this country? This is a great opportunity for us to do that. We cannot deal with the expensive cost of running for political office if we do not deal with the cost of television.

We have passed telecommunications legislation, we have passed a number of bills that will mean big money for television networks, and they use the public airways. There is no reason why we cannot come to an agreement of a system to provide low-cost television for those candidates who are willing to agree to spending limits.

I think that is what the American people are looking for, I think that is what most of the public interest groups that have been fighting for campaign finance reform believe in, and ultimately, I believe that this is the type of system that we are headed to.

I believe that the support of the gentleman from California (Mr. SAM FARR) and others have us at a point in time where we are on the verge of making a historic vote today, a vote that could result in the passage of campaign finance reform. However, I also think it is important that we have this discussion and dialogue today, because when it comes time to make the further improvements that we need to make in our election system, we have to look to this legislation and its provisions on capping, voluntarily capping the amount of money that is spent for limiting political action committees. I think this goes a long way towards where we need to move as a country.

Again, I want to thank the gentleman from California (Mr. SAM FARR) for all of his commitment to campaign finance reform. Some people will never know how much time has been put into this effort.

Mr. HUTCHINSON. Mr. Chairman, I yield 1 minute to the distinguished gentleman from California (Mr. TOM CAMPBELL).

Mr. CAMPBELL. Mr. Chairman, I thank the gentleman for yielding me the time.

I commend my colleague and friend, the gentleman from California, for his bill. On the substance, there is one point of disagreement. I am troubled by the spending limit, because when the candidates are relatively obscure, as most of us in the House are, a spending limit probably created an advantage to the incumbent. We have spending limits at the presidential level, but those candidates are not obscure.

However, beyond this substantive point my fundamental reason for rising is to note that I have given up my own alternative. That alternative was, ''if you cannot vote for me, you cannot give to me.'' It is a very fundamental and deep reform about which I felt strongly. I gave it up because only Shays-Meehan has a chance this session of Congress.

My good friend, the gentleman from California, deserves great credit for being thoughtful and persistent in this field, but I would urge him also to give up his substitute, because only Shays-Meehan has 57 votes in the Senate. If the proposal is not Shays-Meehan, the Senate will not even take it up; at least, I fear that.

In the interests of getting campaign finance reform, I urge that this not be the alternative, that Shays-Meehan be the alternative.

Mr. HUTCHINSON. Mr. Chairman, I yield myself such time as I may consume.

I just want to make a comment in response to my good friend, the gentleman from California, on what has the best chance over in the Senate. I suppose at some levels that is a little bit speculative, but words mean something in this business. We have to rely upon what happens over there, what they say.

When we look at the Senate, they have spent a considerable amount of time debating campaign finance reform, the McCain-Feingold bill, which is the Senate version of Shays-Meehan. After considerable debate and lobbying and pressure, they got I believe it was 57 votes, which is short of what is needed to break filibuster in order to pass it. It takes 60 votes over there.

So they have a very difficult schedule, because they are behind on their

appropriation bills. They have to move forward with other legislation. If they consider coming back to campaign finance reform, they have to come back to something that has a chance of getting more than 57.

We can debate this all day long, but what they say is that it would be a waste of time to bring up Shays-Meehan over in the Senate. That is true because they cannot get anymore votes. But if we give them another vehicle with the potential of getting more votes, then it increases the pressure on them. I think that is a real possibility. I respect the differences of opinion on that.

Mr. Chairman, I yield 5 minutes to my good friend, the gentleman from California (Mr. JOHN DOOLITTLE).

(Mr. DOOLITTLE asked and was given permission to revise and extend his remarks.)

Mr. DOOLITTLE. Mr. Chairman, I rarely agree with my hometown newspaper. It is one of the most partisan Democrat newspapers in the United States, known as the Sacramento Bee. But they did write an editorial which had many points of agreement. I have put it out in a Dear Colleague. The editorial was yesterday. It is entitled ''Wrong-headed Reform: Passage of Bad Campaign Regulations Is No Victory.''

I just thought I would share this with the Members. This is not coming from the Republican side or the conservative side, but this is coming from a very liberal Democrat-oriented newspaper. I think they make some very, very valid points. The points they make, I believe, are as valid against the substitute of the gentleman from California (Mr. FARR) as they are against the Shays-Meehan bill and other bills of that type.

They are speaking of the Shays-Meehan bill. They say, ''It centers on two big wrong-headed reforms: Prohibiting national political parties from collecting or using soft money contributions, and outlawing independent political advertising that identifies candidates within 60 days of a Federal election. That means the law would prohibit issue campaigning at precisely the time when voters are finally interested in listening, hardly consistent with free speech.

''Since that kind of restriction is likely to be tossed by the courts as a violation of constitutional free speech guarantees, the net effect of the changes will be to weaken political parties while making less accountable independent expenditure groups, kings of the campaign landscape.'' It was a great editorial. I will not take the time to read it all here now.

The point is this, that even they, even from the other side, they recognize how disastrous these approaches are. This is the same approach that the gentleman from California (Mr. FARR) is going to take.

I say to the gentleman from California, he and I have talked about whether we are going to request a vote. I am going to request a vote on mine. I hope the gentleman requests a vote on his. I hope the gentleman will put it up there and let people register or be publicly recorded on how they stand on the approach being taken in the gentleman's bill. I think it would be beneficial for the process.

I would like to just to now make a couple of points about some of the problems with the present system, and some of the problems with the proffered solutions. I believe that today's campaign finance system requires current and prospective officeholders to spend too much time raising money and not enough time governing and debating issues.

Lamar Alexander may have had a very interesting statement. He was one of the gentlemen who ran for the Republican nomination for President in the last cycle. This is what he said. I will not read the whole quote, but he said, ''When I ran for President in 1996, contribution and spending limits forced me to spend 70 percent of my time raising money in amounts no greater than $1,000.'' If Members ask any congressional candidate, any nonincumbent, especially, what percentage of time they spend raising money, it will be just about the same. This is a disaster. It has to be corrected.

Now, in addition to this problem of too much time raising money, today's system has failed to make elections more competitive. We have had big government campaign reform. It was enacted by Congress in 1974. Shays-Meehan and the Farr substitute are just reiterations of that same philosophy.

We need to make these elections more competitive by allowing challengers to be unleashed, and to go out and raise money wherever they can and in any amount, only with the proviso that there has to be full and timely disclosure.

Mr. Chairman, we know this system works. We have it in the Commonwealth of Virginia across the river over here, and we have it in the State of California and in a number of other States. The system works, only we need better disclosure than we presently have in the Federal system. We need to adjust those limits.

Even David Broder, from the Washington Post, not known as a Republican, let alone a conservative, had this to say. Excuse me, this is in the Washingtonian, August, 1996. He said, ''Raise the current $1,000 limit on personal campaign contributions to $50,000, or maybe even go to $100,000. Today's limits are ridiculous, given television and campaigning costs. Raise that limit with full disclosure, which would enable some people to make really significant contributions to help a candidate.''

I would submit, Mr. Chairman, this is the direction we should move in, not in the direction of the amendment of the gentleman from California (Mr. FARR), not in the direction of the Shays-Meehan amendment, but in this direction. This is the way that will actually produce some real reform and some real results. I ask for opposition to the Farr substitute.

Mr. HUTCHINSON. Mr. Chairman, I yield 1½ minutes to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Chairman, first, I would like to compliment my colleague, the gentleman from California, because he does have a true reform bill. He has been at the forefront of this.

I would also like to compliment my colleague, the gentleman from Connecticut, who brought forward legislation which I supported and which was vetoed by my own Republican President.

That notwithstanding, we are talking about Queen of the Hill and which bill will get the most votes. I urge members to support the Shays-Meehan proposal, which bans soft money on both the Federal and State levels, just like the proposal of the gentleman from California (Mr. FARR), and misstated, unfortunately, by my colleague, the gentleman from Arizona.

The bill of the gentleman from California (Mr. FARR) bans soft money on both the Federal and State levels for Federal elections, as it has to, and unfortunately, as the freshman bill does not. Our bill also recognizes sham issue ads for what they truly are, campaign ads; improves FEC disclosure and enforcement; and establishes a commission to deal with those issues that have not been dealt with in our legislation.

In regard to whether the Senate will act or not act, all I know is that 45 Democrats came to the forefront and supported the McCain-Feingold bill. This is what Mr. DASCHLE said. He said, ''The Republican leadership continues to employ a strategy designed to confuse the public and complicate the prospects for true reform. The one way to cut through all of that is for the House to pass Shays-Meehan, and send it to the Senate.''

Then he said, ''Passage of any other measure in the House, no matter how well-intended, would only have the effect of offering political cover for the opponents of reform to kill the bill in the Senate.'' Mr. DASCHLE is urging support of the McCain-Feingold, and says any other proposal is likely dead.

Mr. FARR of California. Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO), following the gentleman from Connecticut (Mr. SHAYS), who has been a leader in understanding the problems of too much money in campaigns.

Ms. DELAURO. Mr. Chairman, I rise today to commend the gentleman from Massachusetts (Mr. MEEHAN) and the gentleman from Connecticut (Mr. SHAYS), and all of my colleagues who in fact never lost faith in achieving

comprehensive campaign finance reform. Most of all, I commend the citizens of this country, who have demanded meaningful changes to clean up our national campaign system.

Americans want fundamental change across the country. They want meaningful limits on out-of-control money in politics, and they want those changes now.

□ 1115

For years, the Republican leadership stalled and they still are. It is hard for me to listen to the words of the gentleman from California (Mr. DOOLITTLE) who just spoke a few minutes ago, who says there is nothing wrong with the system, that the system is working, truly mind boggling.

But the Republican leadership has stalled, made phony deals and promises, strong-armed real reformers in their own party off of a discharge petition. They introduced a hodgepodge of bills that the House had rejected. They brought to the floor an amendment that they did not believe in and even its sponsor voted against. They snowballed us with amendments in debate in the wee hours of the night.

But we were never discouraged. The gentleman from Massachusetts (Mr. MEEHAN) and the gentleman from Connecticut (Mr. SHAYS) were never discouraged. The gentleman from California (Mr. FARR) was never discouraged. The gentleman from Connecticut (Mr. GEJDENSON) was never discouraged. We fought for real reform. We kept the Republican leadership's feet to the fire. We forced them to listen to the voices of the American public, not powerful special interests and their large campaign contributions.

With the help of people across this country who called for real reform of our campaign system, we prevailed. Republican tactics failed to kill campaign finance reform and on Monday, we passed Meehan-Shays, we passed genuine reform. It banned soft money. It reins in exploitation of issue ads and brings elections back home to the American people.

This vote is a victory for campaign finance reform. It is a victory for the American people.

I want to pay particular thanks to the gentleman from California (Mr. FARR) and the gentleman from Connecticut (Mr. GEJDENSON) for their groundbreaking efforts on this issue. They fought this battle long and hard. To all we say thank you.

But we have to remain vigilant. We must, in the long run, support Shays-Meehan for real campaign finance reform.

Mr. HUTCHINSON. Mr. Chairman, I yield the balance of my time to the gentleman from Florida (Mr. STEARNS).

The CHAIRMAN pro tempore (Mr. HUTCHINSON). The gentleman from Florida (Mr. STEARNS) is recognized for 1½ minutes.

(Mr. STEARNS asked and was given permission to revise and extend his remarks.)

Mr. STEARNS. Mr. Chairman, the gentleman from Connecticut and the gentlewoman from Connecticut continue to talk about the Shays-Meehan bill. I respect they won the battle on the floor, yet they come down and take the time on another completely different bill and start talking about their bill. It is not even relevant to the Farr amendment.

I think it is important we go back and talk about what we are talking about. After you listen to the two Members from Connecticut, you would think we were talking about the Shays-Meehan amendment when we are talking about the Farr substitute.

The Farr substitute would reduce the advertising rate by 50 percent below the lowest unit charge rate that broadcasters now are already forced to charge political candidates and would give free time to candidates to respond to other ads.

When I looked at this, I went back and reminded myself of an article that was in the Hill magazine newspaper on June 10, 1998. This Hill magazine really shows what is going to happen if the Farr substitute is passed.

Federal political candidates, because they would have absolutely minimal rates to pay, will gobble up all the available ad space and squeeze out all local State candidates as well as probably squeeze out all the third-party candidates who have the fundamental and constitutional right to express their free speech, who want to inform the public on specific issues. These are people that are not Republicans, they are not Democrats. Libertarians, Independents and others will not even be able to get on the TV screen. This has been documented in that article.

Mr. Chairman, I rise against the Farr amendment. This is socializing the political campaigns. I urge its defeat.

Mr. Chairman, unfortunately, sometimes we do not fully recognize the law of unintended consequences here in Congress.

Many Members of Congress, in their zeal to regulate American society, believe they know what is good for all Americans, but they do not take into account how their liberal do-goodism negatively affects the industry in which they are trying to regulate.

The debate that Washington should force television and radio broadcasters to bend to its will and provide federal political candidates with free broadcast time for political advertisements is fraught with problems.

The idea to regulate political speech has been ruled unconstitutional over and over again by the Supreme Court.

The Farr substitute will have the unintended consequences of: severely harming broadcasters financially; damage state and local party candidates; insulate incumbents and the two main parties from challengers and from third parties; and in the end, harm our democracy and our notions of freedom.

As an example of my argument, The Hill newspaper reported on June 10, 1998, "TV stations ration campaign advertising, citing high demand."

The article states that in this year's primary campaign in California, the requests for political advertising were so overly demanding that complying with every request to purchase advertising space for political ads would have placed television stations in an economic bind.

The stations, in response to such high demands, were forced to restrict local and state candidates, besides those running for Governor, from airing political ads.

The Hill reported that stations "KCBS and KPIX refused to take ads from campaigns other than federal campaigns and the governor's race, infuriating candidates for other offices."

Well, what do the Members think will happen if we follow the Farr Substitute, which would reduce the advertising rate by 50% below the lowest unit charge rate that broadcasters now are already forced to charge political candidates and would give free time to candidates to respond to other ads?

This story in The Hill indicates what will happen. Federal political candidates, because they would have absolutely minimal rates to pay, will gobble up all the available ad space and squeeze out all local and state candidates, as well as probably squeeze out all other third party groups, who have the fundamental and constitutional right to express their free speech, who want to inform the public on specific issues or candidates.

For an example, Ron Gonzales, Democratic candidate for Mayor of San Jose, CA, could not even purchase any time for political ads and was put into a competitive disadvantage that forced him into a runoff. But instead of making sure that all candidates and all groups have an equitable opportunity to acquire time to inform the public of their candidacies or the issues important to them, the proponents of free air time want to make the system as unequitable as possible and give just federal candidates priority.

The other dramatic and unintended consequence of such free time proposals would be the devastating economic impact it would have on broadcasters. In the Farr Substitute, all primary candidates would have an automatic rate 50% below the lowest rate broadcasters already charge. There are no limits in this Substitute about how many adds could be aired or how much time would be given to candidates.

Broadcasters already have a significant financial commitment to make in transitioning to digital television. Broadcasters will have to spend tens of millions of dollars in order to transition to digital television in the next few years. With federal elections every two years, free air time proposals threaten conversion to HDTV.

Imposing free-time requirements on broadcast licensees would be the equivalent of telling lawyers, doctors, or home builders, who all have to be licensed in some capacity, what kind of law that they would have to practice, what type of information they could give to patients, or what type of homes to build.

Once Washington starts trying to control how much, when, and what rates political candidates must pay, I fear it will snowball to the point where people in Washington, with good intentions, will try to tell political candidates what they can say.

I think these free time precedents are a danger to our democracy as a whole because they defend just the narrow interests of a few, federal candidates.

Mr. FARR of California. Mr. Chairman, I yield myself the balance of my time.

I appreciate the opposition, because it shows how little they really understand the bill. First of all, there is no free time in this bill. There is no free lunch. All candidates pay. They just pay the lowest unit rate only if they volunteer to limit what they are going to spend in campaigns.

This is about campaign expenditure limits. You, as a candidate, say, I will limit myself to $600,000. That is all I am going to spend to get elected to the House of Representatives. Why do we have to do this? Because, Mr. Chairman, it is getting obscene how much money we are spending.

Do Members realize, 10 years ago, the Senate and the House, total expenditures to get elected spent $58 million. This year, in 1998, disbursements, money that has already gone out is $112 million in the Senate and the House. In 10 years we have more than doubled what we are spending in this House. We have got to put a limit on that.

I do not think we are going to get enough votes to be the bill that will top the Shays-Meehan. We are going to have to be back here next year. I hope that in all this debate we are listening to each other so that we can come up with a comprehensive campaign reform bill. We are not doing it this session.

In fact, I really appeal to my Republican colleagues, because throughout history you have not been there. You have not been helping. In 1990, only 15 Republicans voted for a bill that got out of the House with 255 votes. In 1991, only 21 Republicans voted for a bill that got out of the House with 273 votes. In 1992, only 19 Republicans voted for a bill that got out of the House with 259 votes. And George Bush vetoed the bill, the bill that I am talking about right now.

We need campaign reform. We need it now.

The CHAIRMAN pro tempore. All time has expired.

Amendment No. 7 not being offered, as announced by the gentleman from California (Mr. FARR), pursuant to the order of the House of the legislative day of Wednesday, August 5, 1998, it is now in order to debate the subject matter of the amendment printed in the CONGRESSIONAL RECORD as No. 5.

Pursuant to House Resolution 442 and that order, the gentleman from California (Mr. DOOLITTLE) and a Member opposed will each control 20 minutes.

The Chair recognizes the gentleman from California (Mr. DOOLITTLE).

(Mr. DOOLITTLE asked and was given permission to revise and extend his remarks.)

Mr. DOOLITTLE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to continue on with my analysis of what is wrong with the present system. There is something definitely wrong with it, but there is great disagreement as to what that is, I think, between me and the other side.

Point number 3, we talked about how the campaign finance system requires current and prospective office holders to spend too much time raising money and not enough time governing, debating issues.

Secondly, today's system has failed to make elections more competitive. We had huge domination of Congress by incumbents for decades. Finally dramatic change occurred in the 1994 elections. I believe that was directly attributable to the 1974 law enacted 20 years earlier.

Thirdly, this is very important, I think, for us to understand, as the public, as Members of the House. Today's system allows millionaires to pursue congressional seats and inhibits the ability of challengers to raise the funds necessary to be competitive. The millionaire is the only one who can write whatever amount he or she wants to his election campaign. Everyone else is forced to live within the same hard dollar limits that were put in place in 1974 and have never been adjusted for inflation.

All of the moaning about soft money and these terrible issue advocacy ads that are, as they say, are sham campaign ads, I do not agree with that, but that is what they say, those are the result of never lifting those hard dollar limits.

Sometimes it is important to understand, all the time it is important to understand causes and effects. We do not get that as a majority body in either House of Congress. We seem not to understand that the effect of issue advocacy ads or the effect of soft money or the effect of independent expenditures is directly caused by the hard and unadjusted limits on hard campaign dollars contributed directly to candidates.

Inflation has risen by two-thirds. Can Members imagine having to live on the same salary, just to put this in perspective, pay all your food bills, your rents, your utilities, clothing, et cetera, gasoline with the same amount of money you earned in 1974, and have to live with that same amount of money today and meet all your bills? They could not do it because the prices have risen.

In the campaign context when that happens, we start then pushing out into the less explored areas of the law. PACs became very big, which were really pretty much a creation of the 1974 big government reform that we have now. And those were heavily attacked by the left as recently as 2 years ago.

Now we have gotten off PACs; now we are on to that hated soft money. Soft money is nothing more than unregulated money. It falls in two categories. Soft money that goes for political parties to do get out the vote and voter registration, voter identification, that type of thing, and then there is soft money, unregulated money that groups, independent groups will spend to communicate their views on an issue.

That is what so upset incumbents, because those groups start using the name of the incumbent, start criticizing his voting record. They do not break the law; they live within the law. They do not make express advocacy. But that is very upsetting to incumbents, and they are not going to take it anymore, and that is why we have Shays-Meehan and these other bills, because they are not going to allow that sort of insolence to be displayed toward the incumbents. They are going to have more regulation. They are going to make it harder for the challenger.

If I wanted to be guaranteed election for life in my congressional district, I would join on with Shays-Meehan, because that is the effect it will have. It will make it even harder for challengers who do not have the advantages of incumbency, who do not have the name ID in the district, who do not have the district offices, who do not have the ability to reach out and communicate with the voters, who do not have the ability to call a press conference and have anybody show up, when you restrict these things, you are helping the incumbent because he or she has all those advantages. You are hurting the challenger.

I do not mind saying the Emperor has no clothes. I hope all the rest of my colleagues will feel free to join me today in making that important declaration, because that is really what this is all about.

The founders of Shays-Meehan may have won the battle today, but I predict they will lose the war. The bill will not be enacted into law this year, will never clear the Senate. Let us just remember this, you are going to have a less sympathetic House to big government campaign reform after this, the coming 1998 elections this year. You will have a House that is less receptive to that when we convene in the next Congress in January.

Your Senate, which now has at most 57 votes for the big government Shays-Meehan approach, will have, after these 1998 elections, at most, 54 votes, maybe 53 votes. So bask in the glory today and enjoy it. You are entitled to your temporary victory.

I would just say to my colleagues that, please, feel free, even those of you who voted for Shays-Meehan, even those of you who will vote for the freshman bill, please step forward today and vote for a new approach. We know this bill is not going to pass today, my bill, but it is important to lay the foundation so that we can build upon that next year.

Yes, I agree with the gentleman from California (Mr. FARR), this will be back next year.

Mr. CAMPBELL. Mr. Chairman, will the gentleman yield?

Mr. DOOLITTLE. I yield to the gentleman from California.

Mr. CAMPBELL. A serious concern I have is, if your opponent does not have any money, how can your opponent make public, make widely known the

list of donors that you have? My biggest concern is that, that if your opponent does not have money, all the disclosure in the world will not help. This is a sincere question.

Mr. DOOLITTLE. Reclaiming my time, I will answer that question.

The point is, when you are a challenger and you do not have any money and you are not a millionaire, you can go ask somebody else that has money to give you their money. You can read the quotes of Eugene McCarthy, which, in effect, is what happened, helped get Lyndon Johnson not to run for President again in 1968. McCarthy has said that if he had not been able to raise large amounts of money from a relative handful of individuals, he never could have run the race. That is the situation we are in today.

Let me continue describing the problems that we face.

□ 1130

Today's system hurts taxpayers by taking nearly $900 million collected in Federal taxes and subsidizing the presidential campaigns of all sorts of characters, including convicted felons and billionaires. That needs to be changed.

Lastly, today's system hurts voters in our Republic by forcing more contributors and political activists to operate outside of the system where they are unaccountable and consequently more irresponsible.

That is what the Sacramento Bee was talking about in its editorial. That will surely be the effect if we enact the reforms in Shays-Meehan. It is already the effect under the present big-government reform which we have had for 24 years and which has spawned all of these things the opposition claims to deplore: PACs, soft money, hard money, issue advocacy, independent expenditures, all of those things.

And yet, instead of stepping back, rediagnosing the problem and doing something that matters, they just offer all the same tried and failed solutions of before, and we just cannot have any more of that. The present system does not work. It will get worse under their approach. We need to take a different approach.

All right, let me suggest some goals that a genuine campaign reform ought to have. One, we ought to encourage political speech rather than limit it. All these other approaches seek to limit it despite the fact that Constitution is quite clear when it says, ''Congress shall make no law abridging the freedom of speech.''

My colleagues on Shays-Meehan and the others are cheerfully trying to find a way to abridge the freedom of speech while claiming they are not abridging it. But, in fact, they are abridging it. And those provisions will eventually be struck down, just as many of them contained in the present law we have were struck down in the famous Buckley v. Valeo case and reaffirmed dozens of times since then.

Secondly, we ought to promote competition, freedom, and a more informed electorate. We ought to enable any American citizen to run for office. We ought to increase the amount of time candidates spend with constituents in debating issues rather than raising money. And we ought to make candidates accountable to their constituents for the money they accept. Those, I would submit, are the goals of true campaign finance reform.

Mr. Chairman, I reserve the balance of my time.

Mr. FARR of California. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentleman from California (Mr. FARR) is recognized for 20 minutes.

Mr. FARR of California. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from California (Mrs. CAPPS) one of the newest Members of Congress.

(Mrs. CAPPS asked and was given permission to revise and extend her remarks.)

Mrs. CAPPS. Mr. Chairman, I rise in strong opposition to the Doolittle substitute.

This morning we have heard a review of the history of campaign finance reform in this body, and it is an important perspective to keep in mind. But within this very session, a few weeks ago campaign finance reform was declared dead. I could not believe it, having just arrived, filled with the frustration of the citizens in my district following a special election in which so much outside interest and huge amounts of unregulated monies were involved.

But within this present session, two groups of Members never gave up. They demonstrated the diversity and strength of the reform coalition. The Blue Dogs, conservative Democrats led by the gentleman from Kentucky (Mr. BAESLER) and the gentleman from Texas (Mr. STENHOLM), kept pushing the discharge petition and ultimately convinced 204 Members from both parties to sign it.

And the incredibly hard work of the freshmen, led by the gentleman from Maine (Mr. ALLEN) and the gentleman from Arkansas (Mr. HUTCHINSON), finally paid off. This work began at the very beginning of the 105th. They defied the odds, hung together, produced a solid bipartisan bill, and persistently kept this issue alive.

The freshman bill is good legislation. My husband Walter was a cosponsor. It makes important reforms. I will vote ''present'' on the freshman bill. I do so only to make sure an even more comprehensive bill is passed.

Mr. Chairman, later today we will finally pass the bipartisan Shays-Meehan bill. This is truly cause for celebration. This is the bill that also has a majority of support in the Senate.

Today I am proud to be a freshman and I am proud to serve in this House. Most important, the American people can be proud that we are taking an extraordinary step to clean up our political system and to restore faith in our democracy.

Mr. FARR of California. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Michigan (Mr. LEVIN) who has been here day and night, has been the voice of advocacy for campaign reform, and who has a strong statement in opposition to this bill.

(Mr. LEVIN asked and was given permission to revise and extend his remarks.).

Mr. LEVIN. Mr. Chairman, here is what the gentleman from California (Mr. DOOLITTLE) is proposing: Open the floodgates; if the swimmer is drowning, pour on more water; let money flow without any limit. Oh, but disclose; as the swimmer is drowning, tell him who is responsible for it. Too much, too late.

Look, if Shays-Meehan were so helpful to the incumbent, why is the majority leadership fighting this bill so hard? It does not make any sense. Raising the limits, when you are running against a millionaire who has $10 million, they can raise the limits to $2,000 or $4,000 that someone can contribute to a poor challenger, and it won't help.

The gentleman from California (Mr. DOOLITTLE) seems to have a crystal ball and he knows what the election results will be this year. But look, we have a chance in the Senate. When we pass Shays-Meehan, the spotlight will be on the other body to show up and to put it on the calendar and let the majority rule. If the majority can rule in the Senate as it does in the House, Shays-Meehan goes to the White House for signature. That is what they really are afraid of.

And do not raise this big-government argument to try to hide the dangers of big money. We do not want big government in this. We want the little person, the average person's voice not to be drowned out by big money in America.

The gentleman from California (Mr. DOOLITTLE) says give more money, open the floodgates, no holds barred for the rich, and everybody else loses. Vote against Doolittle.

Mr. DOOLITTLE. Mr. Chairman, I yield myself 1 minute to just observe that the swimmer is drowning and they are killing him, and they are killing him with these types of so-called reforms which in fact are going to make it more difficult for that swimmer to survive.

By the way, right now, under their big-government reform that we presently have, the millionaires are free to spend whatever they like. Under my bill, that person of average means will also be able to go out and raise the money that he or she needs in order to compete with the millionaire.

Mr. Chairman, I yield 3 minutes to the gentlewoman from Idaho (Mrs. CHENOWETH).

Mrs. CHENOWETH. Mr. Chairman, I thank the gentleman from California (Mr. DOOLITTLE) for yielding.

I rise today in strong support of the Doolittle substitute. It is the only proposal being considered in the House

that does not interfere with free speech and the only proposal that is constitutionally sound.

When it comes to campaign finance reform, our goal should be to ensure free speech and full participation in the electoral process. But we are on the wrong track in this Congress. We focus our efforts on finding ways to limit the rights of individuals and candidates.

Instead, this Congress should be working to level the playing field for incumbents and challengers, for all people to be able to enter into this arena and express their points of view, whether we agree with them or not.

I can tell my colleagues, in the last campaign I probably had more targeted outside interest issue ads waged against me than almost any other Member in the Congress. And I stand here protecting the right of those people to express their points of view. But when full disclosure is involved, then the voters are able then to determine who is spending all the money through the outside interests to try to influence elections in their district.

One of my constituents, Kris Provencio of Boise, Idaho, a fine bright young man, should be able to have the ability to get into this political process and be able to speak freely without huge, heavy regulations from the Federal Government.

The Doolittle substitute will require full and immediate on-line disclosure of contributions and contributors by both incumbents and challengers.

The Washington Times said it best in its June 5 editorial when it said, ''If Congress wants to clean up the mess of money in politics, it should do so by encouraging free speech, free discussion, and free debate.''

I have faith in my fellow colleagues and in the citizens of this great Nation, and I urge my colleagues to vote for the Doolittle substitute. This substitute will allow full disclosure and the people then to be able to see who actually is contributing to the free speech. They will be the ultimate arbiters in the political process.

Mr. FARR of California. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Tennessee (Mr. WAMP), a great voice on campaign reform.

(Mr. WAMP asked and was given permission to revise and extend his remarks.)

Mr. WAMP. Mr. Chairman, I thank the gentleman for yielding.

I come with a little different angle to the floor today, Mr. Chairman, to say that when I made the decision this spring to join the discharge petition and bring this issue back to the floor of the House against the wishes of even my own party, the majority party, I said to the Speaker of the House, ''Mr. Speaker, we should not defend the status quo. We should not defend this current system. We should not be caught dead defending this system. As a matter of fact, we did not create this system.''

And I said it has been around since Watergate and it created some things that are now coming back to haunt us, I think. I said we need to do one of two things: either make the intellectual argument that we should do away with this system and go back to the way things were, which the gentleman from California (Mr. DOOLITTLE) does very intellectually in my opinion, or do the best we can to fix the current system.

I do not believe the majority of American people want us to go back to the way things were before Watergate. So I joined the Shays-Meehan effort, did my best to improve it, take out things that I thought were not acceptable and make it as perfect as possible, which it is not perfect, but it is as perfect as possible to build a majority consensus.

I think we must try to fix this system. And Shays-Meehan is the best effort in the last 4 years to do that, and that is why we got 237 votes. I think we need to try to fix this current system.

My colleagues can make an intellectual argument, as the gentleman from California (Mr. DOOLITTLE) did, that PACs have created a problem and they kind of got washed out by the proliferation of soft money. But, frankly, all of that is part of this system.

So intellectually I am not going to disagree with him. But practically and pragmatically, we need to do the best we can to fix this current system. That is what Shays-Meehan represents. That is where the momentum is. That is where a majority is. And I am proud that today the House will, I believe, pass as the king Shays-Meehan and encourage the Senate to do likewise.

Mr. FARR of California. Mr. Chairman, how much time do we have remaining?

The CHAIRMAN pro tempore. The gentleman from California (Mr. FARR) has 14 minutes remaining, and the gentleman from California (Mr. CAMPBELL) has 7 minutes remaining.

Mr. FARR of California. Mr. Chairman, I yield 2 minutes to the gentleman from Maine (Mr. ALLEN) who has been leading in the freshman effort.

(Mr. ALLEN asked and was given permission to revise and extend his remarks.)

Mr. ALLEN. Mr. Chairman, I thank the gentleman for yielding.

This is about whose voices will be heard in this system. It is about voices. It is about speech, who speaks up in this system and who is heard.

The other day the gentleman from Texas (Mr. DELAY) the majority whip, who has been the prime opponent of campaign reform, said that money is the lifeblood of politics. Money is the lifeblood of politics. If that is true, the people lose.

The Constitution begins, ''We the people of these United States.'' It does not say, we the big contributors to politicians in Washington. It says, ''We the people.'' It means the citizens. It means the voters.

The Doolittle proposal is anti-reform. This is a suggestion not to contain the influence of money but to expand it. Under the Doolittle proposal, it is okay for someone to give a candidate for Congress $500,000. Now an individual is limited to giving $1,000.

But $500,000, $300,000, any amount we want, the gentleman from California (Mr. DOOLITTLE) says is okay. That is the influence of big money in politics. We have to contain it. Disclosure is not enough. The Doolittle proposal is going in the wrong direction.

What is going on here? What is going on here has been a strategy from March to May to June to July and now to August, and here is what it is.

☐ 1145

The leadership strategy of the GOP as set out by the gentleman from Texas (Mr. DELAY) again in a moment of great candor. ''The timing kills them,'' said the gentleman from Texas. ''The DeLay strategy worked. Delay, delay, delay.''

The fact is the time for reform is long past. We need to pass out of this House today the Shays-Meehan bill or the Hutchinson-Allen bill. We have to send major campaign finance reform to the Senate in order to restore the voice of the ordinary citizens, the ordinary people in this country who are being overwhelmed and outshouted by big money.

Mr. DOOLITTLE. Mr. Chairman, I yield myself 1 minute, just to observe that even a very prominent, respected liberal Democrat Thurgood Marshall on the Supreme Court made this point, speaking for the unanimous court, quote, one of the points in which all members of the court agree is that money is essential for effective communication in a political campaign. That is why Justice Marshall and all other members of the court ruled that expenditure limits were unconstitutional, because money is the means of making the speech. Today only the millionaire has unlimited free speech. I seek to give this to the average citizen as well running as a candidate. For that reason I have offered my bill.

Mr. Chairman, I reserve the balance of my time.

Mr. FARR of California. Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut (Mr. GEJDENSON).

Mr. GEJDENSON. Mr. Chairman, I would like to commend the author of this legislation because I think he comes forward in an earnest manner for something he believes in. I also think it is dead wrong. And when you take a look at where we are today as a society, we have developed along a path that has really redefined representation. Early on it was felt that representation was representing landed individuals with wealth. We then for a while represented geographic areas. Then finally the Supreme Court said, ''No, you don't represent the land, what you represent is the people. One

man, one vote.'' The debate here is essentially whether Congress will be dominated by wealth and money or by representing their constituents and the best needs of this country. It is very clear that the present system has gone to an incredible excess of representing wealth in America and leaving behind every other value we treasure as a society. Yes, we are a capitalist system. We are a free market system. But our government is not simply there for the highest bidder or for the wealthiest individual. If we want to see American participation increase, we have to make sure that every citizen, not just the powerful and wealthy, feel like they can contribute to this democracy. There is nothing worse in destroying the earnest attempt at maintaining a vibrant democracy than telling people that only wealthy people have access to television. If the standard for democratic participation is that you have to have the bankroll that Ross Perot had or the millionaires that now spot the Senate and the House who finance their own campaigns or sufficient millionaire friends to get you here, that is a democracy that is dying. Democracy is not about the economic system. It is about the political system. The political system in this country cannot be based on how much money you can put together and how quickly from how many people to get you elected. If we do what my friend across the aisle suggests, this will be a country for only wealthy Americans and the rest will be left behind.

Mr. FARR of California. Mr. Chairman, I yield 2½ minutes to the distinguished gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. I thank my colleague and friend for yielding me this time. Mr. Chairman, the Supreme Court has upheld expenditure restrictions. In Austin v. Michigan State Chamber of Commerce in 1990, the Supreme Court said it was constitutional to limit the campaign expenditures of corporations to—zero! The Supreme Court has upheld contribution restrictions. In Buckley v. Valeo the Supreme Court said that the $1,000 maximum for individuals to contribute was constitutional. And again in 1981 in California Medical Association v. FEC the Supreme Court said that it was constitutional to limit campaign contributions, in this case to PACs.

So it is really quite wrong to say that the first amendment, at least as interpreted by the Supreme Court, prohibits limitations on contributions or limitations on expenditures. What, rather, is accurate to say is that the Supreme Court has interpreted the first amendment to say that restrictions reasonably related to the purpose of communicating speech effectively and honestly are permitted and that undue restrictions are not. And hence we need to reach a balance.

The approach of my good friend and colleague from California is commendable in many ways. I do admire his consistency. His position is that we should have no restraints at all. Within his own point of view, he may be completely legitimate on the merits. I do not think so, but he is entitled to believe he is. What I do not believe is that he is entitled to claim the Constitution compels his result. The Constitution has been interpreted consistently to allow restrictions for the purpose of allowing fair and honest communication in the following manner: The first amendment has not been held to ban restrictions on slander; commercial speech; antitrust violations (where one company will communicate to another, in free speech, what prices it wishes to charge); obscenity according to community standards; group libel; symbolic speech; or speech which leads to a clear or present danger. And I have not exhausted the field.

Mr. Chairman, we have a more difficult job because we are, constitutionally, permitted to regulate in the interest of allowing freer and more honest expression. And that is what we are about today in Shays-Meehan.

Mr. FARR of California. Mr. Chairman, I yield myself 1 minute.

It is very interesting to watch what is going on here. The gentleman from California (Mr. CAMPBELL) talked, a Republican from California, a colleague of mine, also served in the California State legislature where I served as a member of the Assembly, he served as a member of the Senate and we are both opposed, Democrat and Republican, to the gentleman from California (Mr. DOOLITTLE) who also served with us. It is obvious that there are just two vast differences of opinion here. Every bill about campaign finance reform, about the system we have in America, wants to change the way money is contributed to campaigns with the exception of one, Mr. DOOLITTLE. He wants to open up thinking that the way to get elected to Congress is to just add more money, throw more money on the problem.

Mr. Chairman, in 1998 the Senate and the House have already spent $112 million and we have not even had a general election. Is the problem there is not enough money? I do not think so.

Mr. DOOLITTLE. Mr. Chairman, I yield 4 minutes to the gentleman from Texas (Mr. DELAY).

Mr. DELAY. Mr. Chairman, obviously I rise in support of the Doolittle substitute. The question today is really simple. Should we trust the American people and support the first amendment, or should we trust the government and gut the first amendment? The Doolittle bill puts its trust in the American people. It opens up the system, allowing more participation by more people. The Shays-Meehan approach puts its trust in the government. It rachets down political expression, making the system more complicated and more dangerous for the average American. It does not sound like reform to me.

Mr. Chairman, the people should not have to consult their lawyers before they contribute to a political campaign. The Doolittle substitute represents the only true and honest effort to reform our campaign system.

I am amused by all the contortions of some of my colleagues who complain about the evils of soft money on one hand and who work very hard to raise that same soft money on the other. For example, just a few nights ago, the House minority leader worked overtime to pass the Shays-Meehan substitute. He spoke of the menacing nature of soft money, how it corrupted the political process. But on that same day, the minority leader personally worked the phones raising millions of dollars in soft money for his party, the money that he has repeatedly condemned and voted to ban.

Now, this is a case of one hand not caring what the other hand is doing. If the minority is so concerned about soft money, it should put its mouth where its money is. Mr. Chairman, money will always be spent in support of campaigns and candidates and causes. The Shays-Meehan bill will drive that money underground. The Doolittle bill will require the light of day to shine upon it.

The Doolittle bill makes a number of improvements to the current system of disclosing contributions. First, the bill requires electronic filing of campaign reports, instant filing, including 24-hour filings during the last three months of the campaign. It is time for Congress to recognize and to utilize the advances in technology that have enabled campaigns to communicate information to the Federal Election Commission much more efficiently than in the past. The Doolittle bill is needed to make elections more competitive. The Doolittle bill is needed to level the playing field so that millionaires are not given free rein to purchase congressional seats. And the Doolittle bill is needed to give working Americans a chance to participate in our democracy.

Every other reform proposal is based on the faulty premise that we can limit spending and limit speech. These big government reformers propose more government regulations and more government power, more big brother in order to stifle debate and suppress speech. The effect of all this Federal regulation is to chill free speech and political participation. This new government power will make people think twice before they participate in this process. But the Doolittle bill will encourage political participation in our democracy. The Doolittle bill will encourage more speech in our political system. The Doolittle bill upholds our Constitution.

Let us really reform the system. Let us pass the Doolittle substitute.

Mr. FARR of California. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Florida (Mr. DAVIS).

(Mr. DAVIS of Florida asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Florida. Mr. Chairman, the bill before us today lifts limits on campaign giving. What an outrage. What is at stake here are the rights of citizens at home who simply sent us up here to do our job. Why should they have to compete with all the people who choose to actively participate by giving unlimited sums of money in the campaign system today? If the public knew more about what we know, about the level of giving, the amount of unlimited contributions that are going into the campaigns of both parties, they would be outraged, they would be sickened, they would ultimately be saddened. The public expects less money going into campaigns today, not more. The strategy on campaign finance reform, which will fail here today on the floor of the House, has first been to do nothing, then to do little, then to delay. Today here is the ultimate tactic. It is a surrender. It is a surrender to the growing cancer in this city and across the country of the disproportionate amount of money that is flowing into campaigns and is swamping and competing with those people who simply want us to do our jobs, they want to speak with us, they want to lobby us on issues and they want to vote. They should not have to compete with the growing and inordinate sums of money that are getting into our campaign system.

□ 1200

The Doolittle bill is a surrender to this problem. We need to defeat this bill, we need to get to meaningful campaign finance reform, we need to pass it today on the floor of the House.

Mr. FARR of California. Mr. Chairman, I yield 2 minutes to the gentleman also from California (Mr. FAZIO), my distinguished colleague.

Mr. FAZIO of California. Mr. Chairman, I just could not resist getting involved with my California friends in the debate in this measure, which I would like to tombstone as the Richard Mellon Scaife Empowerment Act of 1998. This gentleman from the well-known banking family of course has inordinate influence in our political system, giving through nonprofit entities, certainly through think tanks, contributing soft dollars through organizations that he has little influence or interest in other than his desire to be helpful to his friends in the Republican party.

This bill, of course, would give him the same kind of unlimited influence in Federal elections directly by taking all the caps off on what people are allowed to contribute to PACs, to candidates, to the national parties, to the State parties. So the Cook brothers from Kansas, for example, who have made a career out of pushing term limits around the country or Libertarian causes and Republicans who support them would have an unlimited amount of ability to be involved in each and every congressional race, races for the Senate.

Mr. Chairman, this is really an amendment that offers the concept of free speech as defined by the size of wallets, and that really is my response to the comments the gentleman from Texas (Mr. DELAY) has made, and others, about empowering people and giving them their First Amendment rights. If people are only heard in our society by their ability to buy media, to pay for mail, to contact the voters directly through the very expensive vehicles that are available to them, if that is the only way they can be heard in this society, there is then no real equivalent ability to campaign on the basis of their ideas, on the basis of their platform, what they believe in, who they are. It becomes just a question of who has the biggest megaphone and who can be heard the loudest.

This amendment is really nothing more than an effort to empower the wealthiest people in our society to have even more dominant influence on our elections than they already do.

Mr. FARR of California. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Connecticut (Mr. SHAYS) the leader of the Shays-Meehan bill.

Mr. SHAYS. Mr. Chairman, I oppose this substitute because the gentleman from California (Mr. DOOLITTLE) would allow candidates to raise unlimited sums from individuals. Right now the limit is $1,000; from PACs it is $5,000. He would have an unlimited amount. The national parties are limited to $20,000; he would have an unlimited amount. The State parties have $5,000. Under our bill they can do $10,000, but he has an unlimited amount. He has an unlimited amount to the aggregate that can be contributed in all campaigns.

But in addition he does not even have full disclosure, particularly as it relates to third party proposals. When third parties come in, all they have to disclose is the name of their organization. It is a very clever thing. He calls it disclosure, but we do not know who that organization is. They can just have a sham name: The Committee for Better Government. We do not know who is part of that, we do not know who contributed, we do not know if there were five people, a hundred, a thousand. We do not know if a individual contributed $1 million, $2 million, $10 million, a dollar.

Mr. FARR of California. Mr. Chairman, I yield myself such time as I may consume.

Respecting that the gentleman from California (Mr. DOOLITTLE) has a right to close, I just want to reiterate what we are closing on. We are closing on a bill that changes the law, proposes to change the law.

Under existing law, if someone wants to contribute to a candidate, it is a $1,000 limit for each cycle, for a primary campaign and for a general election. Under Mr. Doolittle's it is unlimited, unlimited amount of money.

Right now under current law it is $5,000 a cycle, $5,000 in the primary, $5,000 in the general maximum for PACs, political action committees, and that is authorized by law, and that does not change, the limits are not changed, in the Shays-Meehan bill. But they sure are changed in the Doolittle bill because it goes to unlimited amounts.

Under current law the national parties can receive $20,000. Under the Doolittle bill, unlimited amount of money, unlimited.

State parties under existing law can receive $5,000. The Shays-Meehan goes to $10,000 for the reasons that were talked about. But Doolittle, unlimited, unlimited amount of money. In all of the above in aggregate it is about $25,000. Under the Doolittle bill it is unlimited.

Mr. Chairman, the Doolittle bill is going in the wrong direction. It is doing the wrong thing, giving the wrong message.

This country is about ''We the people.'' In order to get people involved in politics we have got to make it accessible, affordable, not owned by millionaires, not owned by campaigns where we do not even see who is contributing.

Defeat this measure. It is probably one that should receive the biggest defeat of all of the bills that are trying to hurt the attempt to get Shays-Meehan to the Senate and to the President's desk.

Mr. Chairman, I yield back the balance of my time.

Mr. DOOLITTLE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as my colleagues know, to those who support big government and more regulation my bill is going in the wrong direction. But to those of us who believe that here the problem is the regulation which has directly spawned PACs, soft money, issue advocacy, independent expenditures, et cetera, then we are going to offer a new direction.

And, as I said before, there is no way this bill, Shays-Meehan, is ever going to become law of this Congress, so we are really laying the foundation now for next Congress, and I invite all the people sincerely concerned about campaign reform to cast a ''aye'' vote on mine, even if they voted for the Shays-Meehan bill or the Farr or will vote for the freshman bill coming up.

Mr. Chairman, we are taking a new approach.

As my colleagues know, I have to smile when I hear the rhetoric of my opponents about this. One would think I was proposing something that was out in Mars or out in left field, but of course it could not be ''left'' field because that is the big government approach.

Let me just make this observation:

The largest State in the union, California, has had this system for decades. The Commonwealth of Virginia has had this system for decades. We do not hear in Virginia any problems over the election they just went through. I think

the current governor is the son of a butcher. The former governor, his immediate predecessor, was the son of a football coach.

So the issue of millionaires, that is a red herring, it is a false issue the other side brings up. We are the ones who are against the present situation where are only millionaires can spend whatever they like. I would like to have the average citizen running for office to be free to compete against the millionaire, which today he cannot do. Why? Because of the strict contribution limits that are in place.

I believe, Mr. Chairman, this philosophy of deregulation is important to support. I believe it will clean up our system. We have very strict disclosure. And let me say to the gentleman, ''You won't need all this soft money. It will largely wither away once you allow the natural flow of money from contributor to candidate with full disclosure, and then let the voter decide.''

Take the governmental czar out of the equation. I ask my colleagues to support my substitute.

AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 5 OFFERED BY MR. DOOLITTLE

Mr. DOOLITTLE. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN pro tempore (Mr. EWING). The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment in the nature of a substitute No. 5 offered by Mr. DOOLITTLE:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Citizen Legislature and Political Freedom Act''.

SEC. 2. REMOVAL OF LIMITATIONS ON FEDERAL ELECTION CAMPAIGN CONTRIBUTIONS.

Section 315(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)) is amended by adding at the end the following new paragraph:

''(9) The limitations established under this subsection shall not apply to contributions made during calendar years beginning after 1998.''

SEC. 3. TERMINATION OF TAXPAYER FINANCING OF PRESIDENTIAL ELECTION CAMPAIGNS.

(a) TERMINATION OF DESIGNATION OF INCOME TAX PAYMENTS.—Section 6096 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(d) TERMINATION.—This section shall not apply to taxable years beginning after December 31, 1997.''

(b) TERMINATION OF FUND AND ACCOUNT.—

(1) TERMINATION OF PRESIDENTIAL ELECTION CAMPAIGN FUND.—

(A) IN GENERAL.—Chapter 95 of subtitle H of such Code is amended by adding at the end the following new section:

''SEC. 9014. TERMINATION.

''The provisions of this chapter shall not apply with respect to any presidential election (or any presidential nominating convention) after December 31, 1998, or to any candidate in such an election.''

(B) TRANSFER OF EXCESS FUNDS TO GENERAL FUND.—Section 9006 of such Code is amended by adding at the end the following new subsection:

''(d) TRANSFER OF FUNDS REMAINING AFTER 1998.—The Secretary shall transfer all amounts in the fund after December 31, 1998, to the general fund of the Treasury.''

(2) TERMINATION OF ACCOUNT.—Chapter 96 of subtitle H of such Code is amended by adding at the end the following new section:

''SEC. 9043. TERMINATION.

''The provisions of this chapter shall not apply to any candidate with respect to any presidential election after December 31, 1998.''

(c) CLERICAL AMENDMENTS.—

(1) The table of sections for chapter 95 of subtitle H of such Code is amended by adding at the end the following new item:

''Sec. 9014. Termination.''

(2) The table of sections for chapter 96 of subtitle H of such Code is amended by adding at the end the following new item:

''Sec. 9043. Termination.''

SEC. 4. DISCLOSURE REQUIREMENTS FOR CERTAIN SOFT MONEY EXPENDITURES OF POLITICAL PARTIES.

(a) TRANSFERS OF FUNDS BY NATIONAL POLITICAL PARTIES.—Section 304(b)(4) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(b)(4)) is amended—

(1) by striking ''and'' at the end of subparagraph (H);

(2) by adding ''and'' at the end of subparagraph (I); and

(3) by adding at the end the following new subparagraph:

''(J) in the case of a political committee of a national political party, all funds transferred to any political committee of a State or local political party, without regard to whether or not the funds are otherwise treated as contributions or expenditures under this title;''.

(b) DISCLOSURE BY STATE AND LOCAL POLITICAL PARTIES OF INFORMATION REPORTED UNDER STATE LAW.—Section 304 of such Act (2 U.S.C. 434) is amended by adding at the end the following new subsection:

''(d) If a political committee of a State or local political party is required under a State or local law, rule, or regulation to submit a report on its disbursements to an entity of the State or local government, the committee shall file a copy of the report with the Commission at the time it submits the report to such an entity.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to elections occurring after January 1999.

SEC. 5. PROMOTING EXPEDITED AVAILABILITY OF FEC REPORTS.

(a) MANDATORY ELECTRONIC FILING.—Section 304(a)(11)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(11)(A)) is amended by striking ''permit reports required by'' and inserting ''require reports under''.

(b) REQUIRING REPORTS FOR ALL CONTRIBUTIONS MADE TO ANY POLITICAL COMMITTEE WITHIN 90 DAYS OF ELECTION; REQUIRING REPORTS TO BE MADE WITHIN 24 HOURS.—Section 304(a)(6) of such Act (2 U.S.C. 434(a)(6)) is amended to read as follows:

''(6)(A) Each political committee shall notify the Secretary or the Commission, and the Secretary of State, as appropriate, in writing, of any contribution received by the committee during the period which begins on the 90th day before an election and ends at the time the polls close for such election. This notification shall be made within 24 hours (or, if earlier, by midnight of the day on which the contribution is deposited) after the receipt of such contribution and shall include the name of the candidate involved (as appropriate) and the office sought by the candidate, the indentification of the contributor, and the date of receipt and amount of the contribution.

''(B) The notification required under this paragraph shall be in addition to all other reporting requirements under this Act.''.

(c) INCREASING ELECTRONIC DISCLOSURE.—Section 304 of such Act (2 U.S.C. 434(a)), as amended by section 4(b), is further amended by adding at the end the following new subsection:

''(e)(1) The Commission shall make the information contained in the reports submitted under this section available on the Internet and publicly available at the offices of the Commission as soon as practicable (but in no case later than 24 hours) after the information is received by the Commission.

''(2) In this subsection, the term 'Internet' means the international computer network of both Federal and non-Federal interoperable packet-switched data networks.''.

(d) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to reports for periods beginning on or after January 1, 1999.

SEC. 6. WAIVER OF "BEST EFFORTS" EXCEPTION FOR INFORMATION ON IDENTIFICATION OF CONTRIBUTORS.

(a) IN GENERAL.—Section 302(i) of the Federal Election Campaign Act of 1971 (2 U.S.C. 432(i)) is amended—

(1) by striking ''(i) When the treasurer'' and inserting ''(i)(1) Except as provided in paragraph (2), when the treasurer''; and

(2) by adding at the end the following new paragraph:

''(2) Paragraph (1) shall not apply with respect to information regarding the identification of any person who makes a contribution or contributions aggregating more than $200 during a calendar year (as required to be provided under subsection (c)(3)).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to persons making contributions for elections occurring after January 1999.

The CHAIRMAN pro tempore. The amendment is not further debatable.

The question is on the amendment in the nature of a substitute offered by the gentleman from California (Mr. DOOLITTLE).

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. DOOLITTLE. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 131, noes 299, not voting 4, as follows:

[Roll No. 403]

AYES—131

Aderholt	Collins	Hastings (WA)
Armey	Combest	Hayworth
Baker	Condit	Hefley
Ballenger	Cooksey	Herger
Barr	Cox	Hobson
Bartlett	Crane	Hoekstra
Barton	Cubin	Hostettler
Bliley	DeLay	Hunter
Blunt	Dickey	Hyde
Boehner	Doolittle	Jenkins
Bonilla	Dreier	Johnson, Sam
Bono	Dunn	Jones
Brady (TX)	Ehrlich	Kasich
Bryant	Everett	Kim
Burton	Fawell	King (NY)
Buyer	Fossella	Kingston
Callahan	Fowler	Knollenberg
Calvert	Gekas	Kolbe
Camp	Gibbons	Largent
Cannon	Goodlatte	Latham
Chambliss	Goss	Lewis (CA)
Chenoweth	Gutknecht	Lewis (KY)
Christensen	Hall (TX)	Linder
Coble	Hansen	Livingston
Coburn	Hastert	Lucas

Martinez
McCrery
McDade
McInnis
McIntosh
McKeon
Mica
Miller (FL)
Nethercutt
Northup
Norwood
Oxley
Packard
Paul
Paxon
Pease
Peterson (PA)
Pickering
Pombo
Pryce (OH)
Radanovich
Redmond
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryun
Salmon
Scarborough
Schaefer, Dan
Schaffer, Bob
Sessions
Shadegg
Shimkus
Shuster
Skeen
Smith (OR)
Snowbarger
Solomon
Spence
Stump
Sununu
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Traficant
White
Whitfield
Wicker
Wilson
Young (AK)

NOES—299

Abercrombie
Ackerman
Allen
Andrews
Archer
Bachus
Baesler
Baldacci
Barcia
Barrett (NE)
Barrett (WI)
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Bunning
Burr
Campbell
Canady
Capps
Cardin
Carson
Chabot
Clay
Clayton
Clement
Clyburn
Conyers
Cook
Costello
Coyne
Cramer
Crapo
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Duncan
Edwards
Ehlers
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Fazio
Filner
Foley
Forbes
Ford
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gephardt
Gilchrest
Gillmor
Gilman
Goode
Goodling
Gordon
Graham
Granger
Green
Greenwood
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Horn
Houghton
Hoyer
Hulshof
Hutchinson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Klug
Kucinich
LaFalce
LaHood
Lampson
Lantos
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHale
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Neumann
Ney
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pappas
Parker
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Petri
Pickett
Pitts
Pomeroy
Porter
Portman
Poshard
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schumer
Scott
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith, Adam
Smith, Linda
Snyder
Souder
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stupak
Talent
Tanner
Tauscher
Taylor (MS)
Thompson
Thune
Thurman
Tierney
Torres
Towns
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Wise
Wolf
Woolsey
Wynn
Yates
Young (FL)

NOT VOTING—4

Castle
Cunningham
Gonzalez
Inglis

□ 1230

Ms. LEE and Messrs. BURR of North Carolina, SMITH of Texas, McCOLLUM, HUTCHINSON, and MORAN of Kansas changed their vote from ''aye'' to ''no.''

Mrs. BONO and Messrs. CAMP, REDMOND and GOODLATTE changed their vote from ''no'' to ''aye.''

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore (Mr. EWING). Pursuant to the order of the House of the legislative day of Wednesday, August 5, 1998, it is now in order to debate the subject matter of the amendment in the nature of a substitute printed in the CONGRESSIONAL RECORD as No. 4.

Pursuant to House Resolution 442 and that order, the gentleman from Wisconsin (Mr. OBEY) and a Member opposed each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I do not intend to ask for a vote on the proposal that I am offering, but I have some things that I have wanted to say for a long time and now is the best time to say them.

The general public knows, and any politician with a conscience ought to know, that our existing campaign finance system is a disgrace. What people do not know is that we are not operating under the laws written by Congress. We are operating under what was left of reforms passed by the Congress after the Court shredded those reforms in a series of misguided decisions.

Under the Buckley v. Valeo decision, the Court equated dollars with speech, and in the process prevented the establishment of real limits on campaign spending. Through so-called independent expenditure and advocacy ads, they have allowed the cynical manipulation of campaign laws by special interests with the deepest pockets in this country.

In trying to come up with an honest solution to the problem of campaign finance, we need first to understand what the basic problems are. The biggest problem is the lack of public participation. At least 50 percent of Americans do not vote. That means the question of who runs the country is decided in most elections by a majority of the minority.

Ninety-four percent of Americans never contribute to a political campaign. They believe in political campaigns through immaculate conception. They do not want to contribute, and they do not like it when anybody else does, either. Many of them do not contribute because they cannot afford it. Some do not care. Some do not know how. Some do not believe that their contributions would make a difference. Some do not contribute simply because they have never been asked.

That means that in terms of financing campaigns, politics for most people has become a sideline sport. That is unhealthy. Only one-third of 1 percent of all Americans make contributions of $200 or more, and that constitutes over half of all of the money given by individuals in campaigns. That is one reason that 75 percent of the public says, in the Yankelovich poll, that our system of government is democratic in name only and that special interests run things.

When Congress passed campaign finance reform after Watergate, and I was here when we did, we thought we had created a system under which no individual could give more than $1,000, and no organization could give more than $5,000. Today corporate and party attorneys have expanded loopholes which enable corporations and high rollers individually to routinely give $200,000 contributions to both parties. The system is bad for both parties, because it makes the public gag when they think about politics. That is not the way it is supposed to be in this country.

I will vote for the Shays-Meehan bill today because I think it does some good, but I think it does some very modest good. It does not go nearly far enough, in my view, and will be ineffective, if passed, on the question of independent expenditures and issue advocacy, because, like almost all other proposals, it is forced to dance around the court decisions such as Buckley v. Valeo and the Colorado case.

It seems to me that as long as we accept Buckley v. Valeo, that what we are doing is pretending that we can get meaningful reform without modification of Buckley v. Valeo.

There is a group of legal scholars in this country, exemplified by Joshua Rosencrantz from New York University School of Law, who believes that if the Congress passes legislation containing a congressional finding that the existing system has become so fundamentally corrupting of America's faith in our institutions that it is necessary to limit campaign activities by candidates and special interests, that the

court might modify its original decision in light of those changing circumstances.

I would like to think that is true, but I am dubious. But I am willing to try it, because it offers one of only two meaningful ways to get out of our dilemma. That is why I am offering the proposal that I am offering today.

This proposal contains a congressional finding that America's faith in our election system has been fundamentally corrupted by big money, especially soft money, and cynical, manipulative expenditures by outside interest groups.

This bill would establish a voluntary system of 100 percent public financing for candidates who agree to take no private money whatsoever from any private source in general elections. It provides that candidates who receive public financing would agree to reasonable spending limits to finance congressional campaigns. The bill creates a grass roots citizenship fund into which individual public-spirited Americans may contribute on a voluntary basis.

The Federal Elections Commission would be authorized to conduct a major advertising campaign each year alerting the public to the existence of that fund, and explaining that they can help take back their government from special interest domination by voluntarily contributing virtually any amount they want. That is accomplished in the form of a dollar check up, not a check-off on their Federal tax return. So this is not mandated public financing, and it has not one dime of impact on the deficit.

In addition to that, we would supplement that by a one-tenth of 1 percent fee charged to all corporations whose profits are above $10 million. That is not going to break any of them.

The bill ends the scam of corporations and unions and special interest groups spending money to influence elections, all the while pretending that they are not doing what they in fact are doing. It would simply say that for a short 90-day period before the election, no independent expenditures and no issue advocacy ads would be allowed, period, if they could reasonably be determined to be aimed at influencing the outcome of the election.

If the court overturns those limitations, then this bill contains a requirement for an expedited procedure for the Congress to consider a narrow constitutional amendment only for the purpose of limiting such expenditures for that narrow 90-day period before the election.

Under normal circumstances, I frankly detest the idea of a constitutional amendment, because, with all due respect, when I look around this House floor, I see as many Daffy Ducks as I do James Madisons. But I would make an exception to my general resistance to a constitutional amendment, because this issue involves the very survival of our democratic form of government.

Today our system is grotesquely warped to respond to those in this society with money. The court did not know it at the time, but the result of the Buckley v. Valeo case has been to subvert the court one man-one vote decision on a reapportionment. We really do not have a meaningful one man-one vote system at the ballot box, when one man's vote can be magnified by $1 million times if he has $1 million bucks. It turns ''One-man One-vote'' into ''Big Bucks, Big Megaphone'' and that is a lousy way to run what is supposed to be the greatest democratic system in the world.

I have served in this institution for quite a while. I love what it is supposed to be. I cannot walk by the Capitol building at night without continuing to be thrilled about what our form of government is supposed to mean for every man, woman, and child in this country. But I have been profoundly angered by what the dominance of the economic elite in this country has done to public policy in this country, and to the process by which that policy is determined.

I have read a lot of things in public opinion polls that mystify me. I read some that profoundly disturb me. The most disturbing is that 2 years ago, one pollster asked the public, ''Who does the Republican Party best represent, the rich, the middle class, or the poor?'' The response overwhelmingly came back, ''The rich!'' When the same question was asked about the Democratic Party, and who it represented, the rich, the middle class, or the poor, the response again came back: ''The Rich!''

The public, it is clear, thinks that both parties are far too influenced by people who have the most money; and do you know what? They are absolutely dead right. The only way we can restore public confidence in this election system, and the very democratic processes enshrined in the Constitution, is to take private money totally out of general elections by providing 100 percent public financing.

Elections are supposed to be public events, not private events. They are not supposed to be auctions. They are supposed to be competing between ideas, not bank accounts.

In the middle of the 19th century, my district was represented in Congress by Congressman Cadwallader Washburn.

□ 1245

He also had two brothers serving in the Congress at the same time. One of the brothers represented the timber companies, a second represented the railroads, and the third represented the mining companies. They had all the big bases covered.

Times have changed since then. But unless we make dramatic changes to campaign finance, this Congress is slowly but surely reverting to a situation in which individual Members are being seen as tools or mouthpieces of major economic interests in this country.

Our principal responsibility as Members of this sacred body is to see to it that that does not happen. That is why I have tried to raise this issue today, and that is why, while I will support Shays-Meehan and I will oppose the freshman bill, I honestly believe that after the court gets done mucking up again honest efforts at reform, we will have to, in all honesty, turn to the recognition that we are going to have to look at a narrow constitutional amendment, if we are to save this Republic from the clutches of the wealthy elite which would turn ''One-man One-vote'' into ''Every man for the elite!''

That is not the way this country is supposed to be shaped, but our election politics right now guarantees that is the way it is going, without fundamental reform.

I congratulate the supporters of Shays-Meehan. They are trying to do the best they can under ridiculous court decisions, but they cannot go very far under those ridiculous decisions.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN pro tempore (Mr. EWING). Does any Member rise in opposition to the amendment?

The gentleman from California (Mr. DOOLITTLE) is recognized for 20 minutes.

Mr. DOOLITTLE. Mr. Chairman, I yield myself such time as I may consume.

I respect the honesty of the gentleman. I completely disagree on the solution, but I think some of the problems he has identified are real problems.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. DOOLITTLE. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, all that demonstrates is what Will Rogers meant when he said, when two people agree on everything, one of them is unnecessary.

Mr. DOOLITTLE. Well, I assure the gentleman, there is lots of room for debate in this.

The Buckley case, of course, is completely consistent with prior cases on the First Amendment and has been upheld repeatedly, dozens of decisions since then, so it is not an exception to the Supreme Court's rulings in this area. It is not an aberration. It is completely consistent with mainstream constitutional law. It was correctly decided for the most part, I have quibbles with parts of it, but in general the idea that you cannot place expenditure limits on people who are running for office is desirable and constitutionally correct.

The gentleman from Wisconsin (Mr. OBEY) really, in his substitute, does what I think most of the sponsors of Shays-Meehan really want, and that is to get the public financing. That is highly unpopular, and I wish the gentleman would bring it up for a vote. I have taken a radically different course

than most of the other bills with my full disclosure and deregulation. I would like to see the complete antithesis—offered by Mr. OBEY—voted on in this House as well. Perhaps the gentleman will change his mind at the end and perhaps not.

Anyway, I guess I would just like to quote, again the Sacramento Bee, virtually the Washington Post of the West Coast, when it editorialized yesterday against Shays-Meehan, but the two criticisms, I think, go right to the heart of the bill of the gentleman from Wisconsin (Mr. OBEY) as well.

And it says in the editorial page, ''it centers on two big, wrong-headed reforms: Prohibiting national political parties from collecting or using soft money contributions and outlawing independent political advertising that identifies candidates within 60 days of a Federal election.'' I think in this case the gentleman from Wisconsin (Mr. OBEY) may have said his was 90 days.

The editorial continues: ''That means the law would prohibit issue campaigning at precisely the time when voters are finally interested in listening, hardly consistent with free speech. Since that kind of restriction is likely to be tossed by the courts as a violation of constitutional free speech guarantees, the net effect of the changes will be to weaken political parties while making the less accountable 'independent expenditure groups' kings of the campaign landscape.

So, indeed, we see that far from bringing control from the elite back to the average person, the bill of the gentleman from Wisconsin (Mr. OBEY), according to the Sacramento Bee, and I believe this as well, would go exactly in the opposite direction and further strengthen the hand of the elite, just as Shays-Meehan would do along with the other big government types of reforms.

Mr. Chairman, I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I yield myself such time as I may consume.

I think we need to understand what issue advocacy campaigns are and what independent expenditures are.

What happens is, if a corporation or a union or any other private interest gets mad at any Member of this Congress, they can run an unlimited amount of ads savaging their reputation without ever telling who they are, where they get their money or what their real agenda is. They pretend that these are not campaign ads when they are, to the core, efforts to influence campaigns. They are public lies that slip by because nobody on the Supreme Court ever ran for sheriff.

If any member of the Supreme Court had ever run for public office, they would understand what an idiocy they have performed when they produced Buckley v. Valeo. They would understand the scams that routinely go on to pretend that you are not involved in a campaign when you are going hell-bent to savage the reputation of one of the candidates in a campaign.

So what I believe is that if any money is going to be contributed to affect the campaign, it ought to be contributed on top of the table, not under the table. My first preference is to have no private money at all, because that is the only way that you truly do assure one-man one-vote.

Shays-Meehan cannot do that because they are trying to be very careful, so they produce something which lives within the constraints of Buckley v. Valeo and the other decisions. I respect them for their efforts, and I applaud them. But somebody in this Congress has to speak forthrightly about the stupidity of those court decisions and how the big money interests of this country have been able to manipulate those decisions through the years. And that situation is getting worse, it is not getting better.

I would hope that passage of Shays-Meehan will lead to creating more pressure and more awareness in the public of the need to have fundamental reform. If it were accepted by the other body, it would be a welcome first step forward.

Let us not kid ourselves, it is a modest, modest approach in comparison to what really needs to be done if this country is going to some day, some day, for at least a moment or two in our history, have truly equal access to government on the part of every American, regardless of connections, regardless of economic circumstances, regardless of who you know.

Your ability to influence government ought to be based on what you know, not who you know and what you have in your bank account. Right now, the system is just reversed, and that is why it is so sick.

Mr. Chairman, I reserve the balance of my time.

Mr. DOOLITTLE. Mr. Chairman, I yield myself such time as I may consume, just to observe, the system is sick and the system rewards the elites, particularly the media elite. Overwhelmingly the liberal media elite in this country is going to get even stronger under the bill of the gentleman from Wisconsin (Mr. OBEY) and the Shays-Meehan bill and under these other big government types of reforms.

That is why, if we really want to do something for the average person, we will go in the opposite direction and deregulate, not further encumber the system with even more regulation.

By the way, just as a point of note, Justice Sandra Day O'Connor, just to name one, was, I believe, an elected Republican leader in the Arizona legislature, so she certainly was familiar with elections. While it is true that she was not on the court when Buckley was decided, she has certainly been participating in all the various decisions which without fail have continued to sustain and uphold the rationale in Buckley ever since it was rendered in 1976.

Mr. Chairman, I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, what the gentleman from California (Mr. DOOLITTLE) is really doing is defending the status quo. I respect his right to do that. But what he is defending is a system which says on the books that individuals can only contribute $1,000 to a candidate in a general election, and political action committees can only contribute $5,000 in a general election, but if some rich guy gets his nose out of joint, he can spend a million dollars affecting the outcome of a political campaign.

Now, that, on its face, is ludicrous. You talk about guaranteeing the supremacy of elites, you have got to be kidding if you do not think that that guarantees the supremacy of economic elites in this country.

All you have to have in order to destroy a decent balance in politics in this country is a big ego and a big bank account and a big grudge against somebody who is trying to behave in the public interest. That is why I think we need the fundamental reform I am talking about.

Mr. Chairman, absent any speakers on my side, if the gentleman is willing to yield back, I am willing to yield back.

Mr. DOOLITTLE. Mr. Chairman, I yield myself such time as I may consume.

Let me say, at the end of my brief remarks, I am prepared to yield back. We have no more speakers.

I would just like to observe that I am really not defending the status quo. I loathe this present system as much as anybody. But it is the big government types who gave us the present system. The present system has created this absurd situation which you identified where a millionaire can do anything he likes for his own election, but he can only give $1,000 to somebody else's.

The converse of that is that the individual, as a candidate who is not a millionaire, who has no money, so to speak, of average means and has to get it from others, he has to go grub for money and spend 70 percent of his time, like Lamar Alexander was quoted as doing, because the present system limits him what we can do.

So the millionaire, under the big government elite system, the sky is the limit to the billionaire, he can spend whatever he likes, and that is okay. But the average person is limited in what he can raise in order to be able to spend it in his campaign.

It is just not fair. It is not right. The gentleman from Wisconsin (Mr. OBEY) and I have different solutions for this.

I just want to make clear, I think in many ways, in fact, I do not think, I know my proposal is clearly the most dramatic in terms of the change that it would make, because it totally overthrows the existing order and does not leave even a vestige of it. We institute instead thereof full disclosure.

Mr. Chairman, I yield back the balance of my time.

Mr. OBEY. Mr. Chairman, I yield myself 1 minute.

I would simply say, Mr. Chairman, the system the gentleman is proposing as an alternative would simply say that the way you solve the problem is by letting the big guys contribute more than they contribute today. I do not find that to be much of a solution at all.

I would also point out, again, the system the gentleman is defending by way of independent expenditures allows people to affect the outcome of elections secretly rather than having their contributions on top of the table.

The best way to relieve politicians from the need to go after those thousand dollar contributions is to simply take away their ability to take any money, period. Elections are supposed to be public events. They are not supposed to be a competition between private interests. They are supposed to serve the public interest, not the private interests with money. That is why we will never truly have a government ''of, by and for the people'' until there is no private money at all allowed in campaigns and we have 100 percent public financing.

That may not be stylish, but that happens to be what I believe. I believe it with all the fiber of my being. I am not going to be like the country preacher that Mo Udall cited once, who says, ''Well, folks, thems my views, and if you don't like them, well, then I will change them.''

I am not going to change my views. I believe this is the only way to truly give us a truly Democratic system.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. All time has expired.

The amendment No. 4 not being offered, pursuant to the order of the House of the legislative day of Wednesday, August 5, 1998, it is now in order to debate the subject matter of the amendment printed in the CONGRESSIONAL RECORD as No. 8.

Pursuant to House Resolution 442 and that order, the gentleman from Arkansas (Mr. HUTCHINSON) and a Member opposed, each will control 30 minutes.

The Chair recognizes the gentleman from Arkansas (Mr. HUTCHINSON).

Mr. HUTCHINSON. Mr. Chairman, I yield 10 minutes of my time to the gentleman from Maine (Mr. ALLEN), and I ask unanimous consent that he be able to yield blocks of time as he deems necessary.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

□ 1300

Mr. HUTCHINSON. Mr. Chairman, I yield myself such time as I may consume.

As we have learned in this debate, campaign finance reform can certainly be a complex and confusing issue, but the public always has a way of making common sense out of nonsense. To the public, this issue boils down to the meaning of democracy. Democracy in our country, in Washington, is being changed from ''the people rule'' to ''big money governs'', and that is what must be reversed.

In order for democracy to be strengthened, we have to empower the individual. The Hutchinson-Allen freshman bill does exactly this. The freshman bill empowers individuals so that their voices can be heard in Washington, even above the clamor of special interests.

The freshman bill, most importantly, protects the Constitution and free speech, but it also gives the American people a greater voice in our political process. It does this in three ways.

First of all, it restrains the uncontrolled excesses of big monied special interests and labor unions by banning soft money, the millions of dollars these groups pump into our national political parties in a similar fashion as the gentleman from California (Mr. FARR) indicated this morning that his legislation did, banning it to the Federal parties but not restricting the States.

It strengthens the individual voices by increasing the amount individuals and political action committees can give by indexing their contribution limits to match inflation. The freshman bill is the only proposal that strengthens the individual contributions in this way.

Thirdly, it provides information to the public, and it strengthens individuals in that way, by giving them and the media information about who is spending money to influence campaigns. Knowledge is power and we empower individuals.

Mr. Chairman, the freshman bill has been criticized by extremists on both sides of this debate. On the one hand there are those who would claim this bill goes too far and should not ban soft money. On the other hand, there are those who claim this bill does not go far enough and is not real reform. I am not sure we could have asked for a better compliment. The opposition from both extremes suggests the freshman task force has succeeded in producing a balanced and fair bill that does not tip the scales in favor of one faction or another.

And so the freshman bill is simple, but in this town being simple and straightforward confuses a lot of people. But because it is bipartisan, because it is simple, it has the best opportunity of going through the Senate, being passed and becoming law.

I am delighted with my fellow freshmen who have worked so hard on this and I will look forward to hearing them in this debate. Our goal is the best route for reform, and that is the freshman bill.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN pro tempore (Mr. EWING). Is there a Member who stands in opposition?

Mr. GEJDENSON. Mr. Chairman, I claim the time in opposition.

The SPEAKER pro tempore. The gentleman from Connecticut (Mr. GEJDENSON) is recognized for 30 minutes.

Mr. GEJDENSON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this process is clearly at a point where we are going to make a choice, and the choice is relatively simple. We will either move forward with the Shays-Meehan legislation, that has some chance, although a difficult hurdle with the parliamentary ability of Senators to stop legislation, and move forward with campaign finance reform.

I happen to think it is also a preferable piece of legislation, in that it has stricter controls on soft money and issue advocacy ads. It does a better job in a number of areas. It does not increase expenditure limits as large as this bill does. Under this particular piece of legislation an individual's ability to give, per election cycle, goes from $25,000 to $50,000. I am against increasing any of these contribution limits.

The average American must be sitting home and scratching their heads when they look at legislation that increases how much an individual can give in each election cycle from $25,000 to $50,000. That is not the challenge to entering the political process for most families who make less than $50,000 a year. The only reason to increase the amount of money that people can contribute to campaigns is if we think wealthy people do not have enough access to the political process. That is clearly not the problem.

I would hope we would defeat this bill. It has been a noble effort. They have clearly wanted reform. We have a better vehicle before us. We have a vehicle that has a chance of becoming law and we ought to take that. Defeat this particular piece of legislation and let us pass Shays-Meehan.

Mr. HUTCHINSON. Mr. Chairman, will the gentleman yield?

Mr. GEJDENSON. I yield to the gentleman from Arkansas.

Mr. HUTCHINSON. Mr. Chairman, I was really pleased that the gentleman was able to cosponsor the freshman bill.

Mr. GEJDENSON. I will reclaim my time, Mr. Chairman, because I have very little, and say I did so to try to move this process forward.

I cosponsored almost every piece of real reform legislation at the beginning of this Congress to see which one we could get to the forefront. I had my own. This is not about ego or authorship. This is about what we can get done, and what we can get done today is Shays-Meehan.

Mr. Chairman, I reserve the balance of my time.

Mr. ALLEN. Mr. Chairman, I yield 1½ minutes to the gentleman from Florida (Mr. DAVIS), who has been a real leader in the effort on campaign finance reform.

Mr. DAVIS of Florida. Mr. Chairman, as soon as the 42 Democratic freshmen arrived in Washington we chose as our highest priority to reform the campaign finance system in this country. And we knew there were two things that had to be done to accomplish that: First, the bill had to be bipartisan; and, second, it had to be incremental.

So the gentleman from Maine (Mr. TOM ALLEN) is the leader on our side, working hand-in-hand with the gentleman from Arkansas (Mr. ASA HUTCHINSON), and a few other Republican freshmen who wrote a bill attacking two of the most gaping loopholes in our campaign finance system: Soft money, unlimited contributions given to political parties, not for good government, I would submit in many cases. And anonymous, and often misleading and inflammatory political ads run by third-party groups from outside the congressional districts, in most cases, where the ads were being run.

And that bill was opposed. Matter of fact, at least one group said that the courts had upheld their rights to run political advertising. In fact, they went on to admit that if they were forced by our bill to put their names on their political ads, they would not run the ads.

That is exactly why we were doing the bill. If somebody is not willing to put their name on a political ad, they are not willing to stand behind the representations they are making to voters in attempting to influence the outcome of an election.

Now, many of us who supported this bill have voted for Shays-Meehan, and we will continue to do so. And we will continue to adopt as our highest priority to reform this excessive and out-of-control campaign finance system.

I want to say one thing about the freshmen who did this. We did so not because we were concerned about the risk as to who was going to benefit, Democrats or Republicans; we were concerned about the risks of continuing with a system out of control. We will continue to push, when this bill passes the House today, for meaningful campaign finance reform.

Mr. HUTCHINSON. Mr. Chairman, I yield 3 minutes to the gentleman from Montana (Mr. RICK HILL), who has been an outstanding leader on this freshman task force's efforts for reform.

Mr. HILL. Mr. Chairman, I thank the gentleman for yielding me this time.

Many people refer to the freshman bill as the Shays-Meehan light bill. Frankly, that is not fair to the Shays-Meehan bill or to the freshman bill, because these two bills have a different underlying philosophy to them. They do have one thing in common. They both seek to ban soft money.

But the real question is, how and why are we trying to reform campaign finance? Again, we agree that we should ban soft money and the soft money abuses of labor unions and corporations. And the argument for the Shays bill is that we should ''level the playing field,'' that is, level the playing field between incumbents and outside groups.

They would limit these outside groups by determining how they get money and how they spend it and when they spend it. Is that constitutional? Probably not. Even the advocates for Shays-Meehan believe it may not meet constitutional muster. More important, is it a good thing to do? I do not think it is. I think it is a bad idea.

Shays basically says incumbents should control, that others should play on the same playing field as incumbents, and so they seek to limit these outside groups. I do not think we should level the playing field by limiting the political speech. And so the freshman took a fresh approach. Probably because we were not incumbents allowed us to take that fresh approach.

We said that we should level the playing field, but the playing field ought to be level between incumbents and challengers. The result of the Shays bill is that it is going to protect incumbents and it is going to restrict the opportunities for challengers. The freshman bill seeks to expand the opportunities for challengers.

How does it do that? It takes the shackles off political parties and their ability to help challengers. Challengers lose because they cannot get the resources. Our bill says let parties help challengers and, in the process, let us make campaigns competitive, and we think that is good.

The Shays bill weakens parties. It forecloses the ability of parties to help their candidates. It will pit parties against their own candidates to raise money.

When the Court declares Shays unconstitutional, which it will, incumbents are virtually guaranteed reelection. They are the only ones that will get the resources. They will be completely free of criticism from outside groups. And the problem is that challengers are going to be further locked out of the political process. Incumbents have all the power today. And what the freshmen bill says is that let us let challengers, let us let outsiders get access to the resources.

I would ask my colleagues today to support the freshman bill.

Mr. GEJDENSON. Mr. Chairman, I ask unanimous consent that the gentleman from Connecticut (Mr. SHAYS) be allowed to take 10 minutes of my time and distribute it as he sees fit.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. GEJDENSON. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts (Mr. MEEHAN).

Mr. MEEHAN. Mr. Chairman, I rise in support of this year's freshman class, the Democratic freshman class, and I compliment them on their commitment to passing campaign finance reform.

Here we are on the verge of this historic vote, and as I look over, I see the gentleman from Florida (Mr. JIM DAVIS), and the gentleman from Maine (Mr. TOM ALLEN), and the gentleman from Rhode Island (Mr. BOB WEYGAND), and the freshmen Members who have worked so hard on this bill for so long. I think of the hours that we put in debating the pros and cons of different provisions in our legislation. It is really a warm feeling to think that here we are, we are going to pass a bill.

Now, I hope it is the Shays-Meehan bill, but I want to compliment the ability of the freshman class to work in a bipartisan way, the ability of the gentleman from Tennessee (Mr. HAL FORD), and the gentleman from Arkansas (Mr. VIC SNYDER), and the gentleman from Florida (Mr. ALLEN BOYD), and so many of the Democratic freshmen to work hard, diligently, to get us to a point in time where not only we are finally getting a debate and a vote on campaign finance reform, but we are going to make a real difference by advocating tirelessly for reform. The result is going to be that we are going to send a bill over to the other body, and the freshmen Democrats ought to be recognized for their outstanding efforts.

I also rise today in opposition to the Hutchinson-Allen legislation, because I think we have a unique opportunity to pass a stronger bill, the Shays-Meehan substitute. And due to the structure of the debate, a vote for the Hutchinson-Allen bill would be a vote against the Shays-Meehan bill.

We have a bill that would definitely end the million dollar contributions that have funneled through the parties. It would also end the sham issue ads that influence Federal elections. Why? Because our legislation would not allow States to funnel unlimited money into Federal races. Moreover, the Shays-Meehan bill reins in those sham issue ads that ought to qualify as campaign ads.

Another major loophole is this whole issue of undisclosed corporate money. We can do better. The Shays-Meehan legislation will do that. Mr. Chairman, I can honestly tell my colleagues that the Shays-Meehan legislation will cut the ties between unlimited contributions and the legislative process. I cannot draw the same conclusion about the Hutchinson substitute. Therefore, I cannot, in good conscience, endorse the freshman bill.

But I think it is important, as we reach this critical hour, that we recognize the Members of the Democratic freshman class who signed the discharge petition to enable us to have this debate and this vote; who stood tall with the gentleman from Connecticut (Mr. CHRIS SHAYS), myself, and the other Democratic Members, who got an outstanding 237 majority in this House on Monday evening, and those Members who, I believe, will stand tall in sending the Shays-Meehan bill over to the other body so that we can get real campaign finance reform.

I congratulate Members of the freshman class and look forward to having

them join with me at the end of this debate in making sure we send to the Senate the Shays-Meehan legislation.

□ 1315

Mr. SHAYS. Mr. Chairman, I yield myself 1 minute to say that, first, I thank my colleague the gentleman from Connecticut (Mr. GEJDENSON) for yielding me the 10 minutes, and to acknowledge the fact that he has been an extraordinary leader on campaign finance reform and succeeded in drafting legislation that got to the President's desk, and excellent legislation as well.

I also want to stand to congratulate both the gentleman from Arkansas (Mr. HUTCHINSON) and the gentleman from Maine (Mr. ALLEN) and all the freshmen for what they have done.

The difficult thing is, we have worked well to bring this legislation forward. We tried not to, as reformers, to attack each other and to present a clear case. But today is the day in which we have to distinguish the differences.

I would just say that I think in order to have a ban on soft money, we have to ban it not on just the Federal level but on the State level for Federal elections. And I think we cannot leave the current loophole of sham issue ads being allowed to continue when they are truly campaign ads. We need to make them campaign ads. They need to follow the campaign rules in order to eliminate that extraordinary loophole. We do have to continue to move forward with reform.

So I thank my colleagues, and I look forward to this debate.

Mr. Chairman, I reserve the balance of my time.

Mr. HUTCHINSON. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida (Mr. GOSS).

(Mr. GOSS asked and was given permission to revise and extend his remarks.)

Mr. GOSS. Mr. Chairman, I rise in strong support of the Hutchinson amendment, the substitute, and, as it is known, the freshman substitute. Of all the choices out there, I think it deserves support.

Mr. Chairman, if this were a perfect world lifting present restrictions on campaign financing and substituting only one requirement of immediate and full disclosure—with transparency—would be a perfect solution. This would allow a candidate to run his or her campaign in their own way in a free country while giving the voters immediate access to who is funding the candidates campaign. An informed electorate could then fully participate freely knowledgeably casting their ballots. But it's not a perfect world and we need to look at other choices.

I have heard from many individuals, special interest groups, newspaper editorial boards regarding which bill is the correct and only solution to the problem. There's no such choice, and if we are honest with ourselves—we all know it.

I happen to favor the Hutchinson substitute for a few very good reasons. Unlike the Shays/Meehan proposal, the freshman bill does not limit issue advocacy. Instead, it requires organizations to disclose any advertisement expenditures over a certain limit.

The freshman bill bans national parties from raising soft money, and also prohibits Federal office holders and candidates from raising soft money for State parties. But, unlike the Shays/Meehan bill, the Hutchinson substitute does not impose Washington's views and regulations on the State parties. As someone who believes strongly in States' rights, I believe this is an important distinction.

It's important to remember that the GOP majority in Congress has brought forward this open and extensive debate. The Democratic Party after 40 years in power in Congress never did do campaign reform and left us in the mess we are today. I commend Mr. HUTCHINSON for his leadership on this issue and I urge adoption of the freshman substitute. All rhetoric aside, it's the most workable choice and though I'm not a freshman I think their bill deserves strong support.

Mr. HUTCHINSON. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. WOLF).

(Mr. WOLF asked and was given permission to revise and extend his remarks and to include extraneous material.)

Mr. WOLF. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in strong support. I was one of the Republican Members that signed the discharge petition to get this process moving, and one of the reasons I did it is because soft money is beginning to and may have already corrupted the political process and will continue.

One of my major reasons for supporting this proposal is that both political parties, the Democratic Party and the Republican Party, are taking money from the gambling interests, record money.

Look at today's Washington Post: ''Survivor of Father's Shooting Dies.'' Dad was $10 million in debt, gambling and other debt ''totaling more than $10 million, some of it from gambling losses at Atlantic City.''

[From the Washington Post, Aug. 6, 1998]

LONE SURVIVOR OF FATHER'S SHOOTINGS DIES

(By Wendy Melillo and Brooke A. Masters)

An 11-year old Herndon girl died yesterday after initially surviving the slayings of her mother and brother and the suicide of her father, Who authorities now say had defrauded area banks of nearly $2 million and had $10 million in gambling and other debts.

Reha Ramachandran was grazed by a bullet that struck the back of her head as her father, Natarajan Ramachandran, killed his wife and 7-year old son Sunday night. Reha died yesterday afternoon at Inova Fairfax Hospital after her brain swelled as a result of the injury.

Sources familiar with the investigation said that before his death, Ramachandran had written nearly $2 million in bad checks in an attempt to cover mounting debt totaling more than $10 million, some of it from gambling losses at Atlantic City casinos. He had been under investigation by the FBI and had been interviewed several times by agents who were building a case against him, a source said.

''It is sad day when the love of money and the fear of failure drives a man to destroy his entire family,'' said Lt. Bruce Guth, a Fairfax County police homicide investigator.

Ramachandran was writing checks on several bank accounts, all with insufficient funds, authorities said. The time it took for checks to clear between accounts in the different banks allowed Ramachandran to stay one step ahead of being caught, authorities said.

''Our case concluded at the time he killed himself and will subsequently be closed,'' John L. Barrett Jr., special agent in charge of the criminal division in the FBI's Washington field office.

Authorities said Ramachandran's business partner, Nagaraja Thyagarajan, became aware of the financial problems and went to Ramachandran's home in the 12300 block of Clareth Drive at 12:45 p.m. Monday to discuss the matter. When Thyagarajan knocked at the door, Reha, shaken, disoriented and bleeding from a bullet wound, answered the door.

She was admitted to Inova Fairfax Hospital and her condition improved somewhat Tuesday—she even spoke with police—before she died of complications yesterday.

Fairfax County police said Reha told them that after being shot, she somehow thought it was all ''just a bad dream.'' She said she stumbled from the master bedroom, where Ramachandran had gathered the family, into another room and fell asleep until she was aroused by Thyagarajan's knock at the door.

Autopsies performed yesterday on Ramachandran; his wife, Kalpara, 36; and son, Raj, determined that they died of gunshot wounds to their upper bodies.

Sources said Ramachandran left a note detailing his financial problems. They said his wife was not aware of his financial difficulties.

Records from New Jersey Superior Court show three judgments for an Atlantic City hotel and casino against Ramachandran, who apparently also used the name Nat Ram there. The judgments, in 1991 and 1992, totaled $2,240.

Ramachandran worked for Universal Finance Solutions, a Vienna investment firm that he founded with Thyagarajan. Ramachandran and Thyagarajan paid $252,000 in cash for the office condominium in a low-rise building on Gallows Road, according to land records and the previous owner of the property.

Thyagarajan has declined to comment on the case.

Ramachandran and his wife bought their Herndon home, with four bedrooms, and 4½ bathrooms, for $585,000 in April 1997, with a mortgage of $438,000. The house sits on an acre amid only 10 other homes in a subdivision called Crossfields.

The family had not sold its previous home in Prince William County. It was purchased in July 1989 for $170,400. County land records show the couple had a $153,350 mortgage on that property, and an additional loan in October for $15,700.

Mr. WOLF. Why would the Democratic Party, why would the Republican Party want to take money from the gambling industry that brings about corruption and addiction?

I also saw a study that came out the other day from Vermont where it says, the medical journal *Pediatrics*, ''High school students who gamble are more likely to engage in other health-risk behaviors.''

The study surveyed 21,000 8th through 12th graders in Vermont, median age 15. More than half of these young people reported they gambled in

the last 12 months. Those who gambled in the last 12 months had a number of things in common: Male; frequent illegal drug use; not using seat belts, and driving after drinking alcohol.

I sent a letter to both the Democratic national chairman and the Republican national chairman asking them to stop taking soft money, and neither have agreed.

I think this bill is the best bill, the most balanced bill, the one that can pass, and the one that can be signed into law. For those reasons, I urge that no one vote ''present'' on this one. I urge everybody on both sides, whether they voted for Shays-Meehan or voted against Shays-Meehan, here is an opportunity. Support the Hutchinson-Allen bill, which will do away with soft money once and for all, so the gambling interests and other special interests can no longer corrupt the political process.

Mr. CAMPBELL. Mr. Chairman, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from California.

Mr. CAMPBELL. Mr. Chairman, I applaud the point of view of my colleague on the gambling interests. I think he is courageous. I am only concerned about the State soft money not being closed in this bill, which it is closed in Shays-Meehan; and I wonder if the gentleman from Virginia (Mr. WOLF) had a comment on that.

Mr. WOLF. Mr. Chairman, reclaiming my time, I would favor closing it. The concern I have with Shays-Meehan is it prohibits people from expressing themselves, and I am concerned it is an incumbent protection bill.

I think anybody in the country ought to have the right to criticize us any way they want to in any kind of ad. And, for that reason, I am a little concerned. But on soft money for the states, I totally agree with the gentleman from California.

Mr. CAMPBELL. If the gentleman would yield further, to me it is a difficult balance, but that would be a flaw in the freshman bill, that we would still have soft money which is potentially corruptible and involves gambling interests going to the State.

My State of California, look at the race for attorney general, last time Democrat and Republican. We are going to see gambling money on both sides. For what? For the attorney general, who is obviously making decisions on that.

Mr. WOLF. Reclaiming my time, I agree with the gentleman. I urge strong support for the Hutchinson-Allen bill.

Mr. Chairman, I rise in support of the Bipartisan Campaign Integrity Act (H.R. 2183), also known as the ''Freshman bill.''

I think this is a balanced bill, and one that can pass. One of my main concerns has been the need for a total ban on soft money to the major national political parties. It was because of this that I was one of those who signed the discharge petition to keep the campaign finance reform process alive. I wanted to do everything I could to help to bring about a total ban on soft money to the national political parties.

There are a lot of reasons why we need to take this step. I am deeply concerned about the obscene amounts of soft money going to the Republican and Democrat parties, especially from the gambling interests. As the author of legislation to create a commission to study the impact of the growth of gambling in America, I have seen firsthand the willingness of the gambling lobby to throw around vast sums of money to protect their own self-interests and preservation—at the expense of the average citizen. And do they have the money to do it. The gambling industry rakes in $50 billion in profits each year.

We might not think of gambling as something that hurts anyone. But study after study shows thats just not true.

We've been hearing a lot about gambling addiction among you people, and now another study has come out confirming those earlier findings.

A recently published article in the medical journal Pediatrics showed that high school students who gamble are more likely to engaged in other health risk behaviors as well. The study surveyed more than 21,000 eighth-through 12th-graders in Vermont schools. The median age of the students surveyed was 15 years old. More than half of these young people reported that they had gambled in the past 12 months. Those who had gambled in the past 12 months had a number of things in common: being male; frequent illegal drug use; not using seatbelts; driving after drinking alcohol; carrying a weapon; being involved in a fight; and years of sexual activity.

Teen gambling addiction is just one example of this industry's ill effects. There are many others. I've been concerned by data like this, so I sent a letter to the chairmen of both major political parties, which I will include for the RECORD, asking them to take the first step in campaign finance reform by refusing to take soft money campaign contributions from the gambling industry. Unfortunately, they're still taking that money.

Earlier this year, the New York Times reported that the gambling interests have ''more than quadrupled their contributions to federal candidates and political parties since 1991.''

According to Common Cause, the national Republican and Democratic party committees have raised a record high of $90 million in soft money during the first 15 months of the 1998 election cycle. This is more than double what the parties raised during the first 15 months of the 1994 cycle. In the first three months of 1998 alone, the parties raised almost $23 million.

The Freshman bill protects free speech. It provides a level playing field for all federal candidates. It bans soft money on the federal level, and prohibits funny business between state and federal parties by eliminating loopholes. The Freshman bill stops state parties from laundering soft money for federal candidates.

Soft money to the national political parties is the 900-pound gorilla of campaign finance reform. It's time to ban it. The Freshman bill does it. That's why I'm going to vote for it. I urge my colleagues to do the same.

HOUSE OF REPRESENTATIVES,
Washington, DC, April 3, 1998.

Mr. JIM NICHOLSON,
Chairman, Republican National Committee, Washington, DC.

Mr. ROY ROMER,
General Chairman, Democratic National Committee, Washington, DC.

DEAR MR. NICHOLSON AND MR. ROMER: With today's gridlock on campaign finance reform—which many of us believe is essential to this country, and must have, at its core, a ban on soft money—I would like to offer a suggestion to get the process started. There is something that can be done to help with this problem right now. A good first step toward meaningful reform could happen today if both major political parties would refuse to accept one more dollar from the gambling industry.

We couldn't even watch the NCAA basketball championship without thinking of the recent headlines about the gambling scandal involving two former basketball players from Northwestern University who were just indicted for shaving points in three games during the 1994–95 season. Although betting on college sports is illegal, The Washington Post reports that $80 million was wagered on this year's NCAA tournament. (See attached.)

But there is something else we need to think about as political leaders. There is a definite link between gambling and political corruption. Pro-gambling forces are well-funded and lobby hard—at federal, state and local levels. In the 1995–96 election cycle alone, the casino interest poured $7 million into campaign coffers, according to a study conducted by the Campaign Study Group for The New York Times. I don't know if you saw the article that details this, but I'm enclosing it for you. It says that these political contributions have quadrupled since 1991 and that money has been given both to federal candidates and to political parties. This sends the wrong message about what kind of government we have.

Is it not hypocritical to call for campaign finance reform while simultaneously receiving large sums of soft money from gambling interests? I urge you today to jointly call a halt to taking this money. With both major parties taking this action, neither party would have an advantage over the other. The winners in this would be the American Family—to moms, dads and kids everywhere.

All across the country, the nation's newspapers are filled with stories of corruption related to gambling. Sometimes the parties involved are the gambling operators themselves, as was the case recently when the manager of a Virginia charitable gambling operation pleaded guilty to nine counts of embezzlement, The Virginia Pilot reported in January. Earlier, four officials pleaded guilty and two workers are under indictment in bingo corruption cases in a neighboring Virginia town.

But many times the corruption related to gambling has political overtones. Recent land-grabbing cases by the city led George magazine to list Las Vegas in its ''Ten Most Corrupt Cities'' in the March 1998 issues. A former city councilman told the magazine, ''This is government for the casinos, of the casinos, and by the casinos.'' A former deputy attorney general said, ''The city takes the money that would have gone back into the community—schools, hospitals, police—and instead they have given it to the casinos for their development.''

A federal investigation into charges of illicit gambling-related deals led Missouri's House Speaker, who had held the office for 15 years, to resign, the Kansas City Star reported in October 1996.

Several years earlier, 19 Arizona legislators and lobbyists were paid off after promising to see legalized gambling come to the state, USA Today reported. That incident has been caught on videotape and became known as ''AzScam.''

Corruption charges have brought down four of the last seven Atlantic City mayors, the New York Times reported.

In Indiana, the former chairman of the state's House Ways and Means Committee was indicted on charges of bribery, perjury and filing false financial reports involving a proposed riverboat casino.

NBC recently aired a movie called, ''Playing to Win,'' which was about teen addiction to gambling. The movie ended by citing a new Harvard study which says two million teenagers in America are struggling with gambling addiction. A telephone number for the National Council on Compulsive Gambling was flashed on the screen. According to the NCCG's executive director, their phones have been ringing off the hook, almost around the clock, since the airing of the movie. People are looking for help—for themselves, for their loved ones—because of gambling addiction.

What is it that convinced NBC to air this movie? What was it that motivated the citizens of Oklahoma, their state legislators and their governor to reject gambling casinos by more than a 2-to-1 margin earlier this year?

They know the other side of the story. They knew that gambling is no game. It leaves in it path the wreckage of human misery. Addiction, crime, corruption, loss of revenue to local business, bankruptcy, and even suicide—these are the fruits of this industry which is sweeping America.

That's why I'm writing you this letter. Although gambling proponents make promises of increased jobs and revenue to communities, gambling is no risk-free game. There is another side of the story. It's time for the leaders and policymakers of this country to face the evidence that gambling is bad for families, bad for business and bad for communities. It's time to say ''no'' to the money lure the gambling industry has cast.

GAMBLING IS BAD FOR FAMILIES.

Many families cross the country have been ruined by gambling. This is a problem that affects everybody—high school students, retired persons, blue-collar workers, and some of our nation's leaders.

Across the country, social service agencies report the incredibly negative impact that gambling is having on American families. The Mississippi State Health Department reported in 1994 that one of its state's localities, Harrison County, has averaged 500 more divorces per year since casinos appeared.

In Illinois, a 1995 survey of compulsive gamblers showed that for 25 percent of the respondents, gambling led to divorce or separation.

In Maryland, a 1995 report found that domestic violence and child abuse skyrocket when gambling arrives into a community.

The executive director of the Gulf Coast Women's Center in Biloxi, Mississippi, reported that since gambling came to the area, the center is averaging 400 more crises calls per month. In Central City, Colorado, child protection cases rose six-fold the year after casinos arrived, a 1994 study found.

The fastest-growing teenage addiction today is gambling, according to Howard J. Shaffer, director of Harvard Medical School's Center for Addiction Studies. Shaffer found that the rate of pathological gambling among high school and college-age people is twice that of adults.

The gambling industry is not doing enough to prevent these problems. For example, although the minimum legal age for casino patrons in Louisiana is 21, six underage young people boarded all three New Orleans-area riverboats in January and gambled freely, the Associated Press reported. A local television station used a hidden camera to tape the youths gambling, cashing winnings and being offered alcoholic beverages by cocktail waitresses on the boats.

Bakruptcy, too, is skyrocketing in America, crippling American families. Obviously, sometimes businesses fail and investment go sour. But too often personal bankruptcies happen as a result of spiraling gambling debt. When that's the case, not only is the gambler affected, but so is his or her entire family.

There is a link between gambling and personal bankruptcies. The U.S. Treasury Department is in the process of conducting a study to examine this link. According to the American Bankruptcy Institute, Nevada had the fourth-highest bankruptcy rate in America in 1996. Mississippi ranked fifth in the country in per-capita bankruptcy filings. It is also the state with the second-highest level of gambling per capita.

Last year, bankruptcies in South Mississippi were up nearly 18 percent, according to the Gulfport Sun Herald. The president-elect of the Mississippi Bankruptcy Conference said that gambling is a major cause of this increase. (See attached news clip.)

A recent SMR Research Corporation study on bankruptcy states, ''It now appears that gambling may be the fastest-growing driver of bankruptcy.'' The report also points out that the bankruptcy rate was 18 percent higher in counties with one or more gambling facilities, and 35 percent higher in counties with five or more gambling establishments. All one needs to do is to look at a map to see the link between gambling and bankruptcy, the report says. One example: Atlantic City, N.J., has the highest bankruptcy rate in the state. (A portion of this study is attached.)

Sometimes the pressure of trying to deal with one's gambling debts proves too much. One of the most tragic of gambling's ill effects on the family is when the gambling family member sees no other way out and ends his or her life. In the latest report in Suicide and Life-Threatening Behavior, the officials journal of the American Association of Suicidology, the study, ''Elevated Suicide Levels Associated with Legalized Gambling,'' showed that there is a link between gambling and increased levels of suicide. Dr. David Phillips of the University of California at San Diego wrote, ''Our findings raise the possibility that the recent expansion of legalized gambling and the consequent increase in gambling settings may be accompanied by an increase in U.S. suicides.''

The study said that it was not just visitors who have higher levels of suicide in major gambling communities, but residents, too. Las Vegas has the highest levels of suicide in the nation, both for residents and visitors.

What is the gambling industry's response? They claim this phenomenon is due to geography—that people in the Southwest tend to be more isolated, remote and more prone to suicide. And yet, it is not merely a Southwestern phenomenon. Atlantic City has ''abnormally high suicide levels'' for visitors and residents, but that only appeared after gambling casinos were opened, the study said. The high levels of suicide in these two cities are not merely the result of a high number of visitors nor due to suicidal individuals being attracted to these cities, the study showed. Surely there can be nothing more tragic for a family than to lose a family member to suicide, and the fact is, many times gambling is behind this tragic loss.

GAMBLING IS BAD FOR BUSINESS

In addition to claiming to bring a mere form of entertainment, the gambling industry often claims it will bring jobs and increased revenue to local economies through tourism. But when a casino wins, legitimate local businesses lose. Gambling consumes income that would have been spent on local tourism, services, movies, recreation and clothing.

As legalized gambling has spread throughout the United States in recent years, these activities have been subsidized by the taxpayers—directly and indirectly. A 1992 Better Government Association study and 1994 Florida Budget Office report both indicated that for every dollar that legalized gambling contributes to taxes, it costs the taxpayer at least three dollars. There are higher infrastructure, regulatory, criminal justice system and social welfare costs when legalized gambling enters a community.

Although gambling interests claim their entry into a community will bring economic growth, many would disagree. One corporate president and CEO in Mississippi recently said he's been having difficulty in recruiting employees to his company due to the state's reputation as ''the gambling state of America,'' according to the Jackson, Mississippi, Clarion-Ledger. The CEO said that Mississippi ''has the second largest amount of square footage of gambling of any state in the nation.''

Researchers from Iowa State University conducted a 1996 study of one Iowa city to see how a new riverboat casino affected the local economy. They found that 29 percent of local business owners reported decreased activity. Local economies in the state of Minnesota have also been hurt by gambling. One statewide survey found that 38 percent of local restaurant owners said they had lost business to gambling.

Sometimes the damage to local economies comes simply because of too many gambling casinos. When one Illinois city's casino revenues dropped due to competition from casinos in a neighboring state, the city had to rebate almost $1 million in gambling taxes.

The state of Louisiana made an ambitious tax deal with one casino builder in hopes of bringing the world's largest casino to New Orleans. But the deal proved too costly to Harrah's Jazz Co., which went bankrupt, Time magazine reported in April 1996. The sight of a half-built, rusting casino on the edge of the French Quarter converted the state's governor into an anti-gambling advocate, according to Time. Louisiana voters agree with him, according to a Baton Rouge newspaper's year-end poll, reported earlier this year. The Advocate found that only 16 percent of voters said legalized gambling has had a good impact on the state. Almost two-thirds of respondents said gambling is a serious or extremely serious problem in Louisiana.

GAMBLING IS BAD FOR COMMUNITIES

Many communities have been misled and duped into accepting gambling. The gambling industry—with about $50 billion in yearly profits—is well-financed, and conducts an incredibly smooth public relations campaign. Government is supposed to be the protector of societies. But many local governments have turned predatory in an effort to raise revenues for their communities. The gambling industry entices cash-hungry communities with their slick promises of quick revenues.

But here are the facts. Although pro-gambling forces vehemently deny it, criminal activity does indeed increase in communities to which gambling has been introduced.

Crime has shot up 43 percent in the Mississippi Gulf Coast area in the four years

after casinos were introduced, according to the state's crime commission report, published in May 1997. Connecticut's Foxwoods Casino is one of the largest and most prosperous in the country. But the mayor of one nearby town reports that its police department's annual number of calls skyrocketed from 4,000 to 16,700 within five years after the casino opened. After casinos came to Deadwood, South Dakota, the annual number of felony cases increased by 69 percent, the Eight Circuit Court reported in November 1997.

An FBI agent recently pleaded guilty to stealing more than $400,000 from the agency to pay off his gambling debts. For five years the agent embezzled money, wrote bogus memos and falsified expense reports to raise money so he could gamble, The Washington Post reported. He was supposed to be investigating an organized crime squad, but ended up entangled in their activities himself after placing big bets on sporting events with them. ''My client has a gambling problem'' his attorney told the Las Vegas Sun.

In California, prosecutors have charged four men with murder or attempted murder for following, robbing and shooting women after they were gambling at a Hollywood casino, the Los Angeles Times recently reported.

Sometimes increased crime shows itself not only outside the casinos, but inside as well. Federal banking regulators nailed the Trump Taj Mahal Casino Resort with a $477,000 fine for money laundering—the biggest such fine ever, the Philadelphia Inquirer reported recently. Authorities said that drug traffickers, counterfeiters and others are known to use casinos as places to launder money. They do this by finding people to buy chips in denominations just under $10,000, gamble a little bit of it, then cash in the chips for ''clean'' money.

A 78-year-old man allegedly shot and wounded five people in a casino in Reno, Nevada, according to an Associated Press story earlier this year. He was caught when he tried to shuffle away using his walker. The man was booked for investigation of two counts of attempted murder and three counts of battery with a deadly weapon. Two of the wounded people refused to go to the hospital and remained at the casino to gamble, according to a casino spokesman.

America deserves to know the whole story behind gambling: The good, the bad and the ugly. As more and more families are struggling to make ends meet, the idea of making easy, quick money can be an attractive lure. But there is a dark side to gambling. Its ill effects are taking their toll on too many under our care. Families are being ruined, businesses are being hurt, and communities are suffering.

What a message it would send to America's families for both party leaders to end political contributions from gambling. What a dramatic step it would be to begin cleaning up the political process and the fund-raising mess that exists today. The time has come to ''just say no'' to gambling money. I urge you to take that step today.

Sincerely,

FRANK R. WOLF,
Member of Congress.

Mr. ALLEN. Mr. Chairman, I yield 1½ minutes to the gentleman from Wisconsin (Mr. KIND) who has been a member of the Freshman Task Force that produced the freshman bill, a strong advocate of campaign finance reform.

(Mr. KIND asked and was given permission to revise and extend his remarks.)

Mr. KIND. Mr. Chairman, I thank the gentleman for yielding.

I want to first commend the gentleman from Maine (Mr. ALLEN) and the gentleman from Arkansas (Mr. HUTCHINSON) for the fine leadership that they have performed during this very tough and rigorous process.

I am a proud member of the Freshman Task Force that worked on finance reform. I am very proud of the work product that we have produced during the course of the year and a half that we have been working together. I am very proud of the Task Force members with whom I have had the privilege of associating myself.

I am especially proud of the freshman class that really stood up and took on this issue early last year at the beginning of this 105th session of Congress, when it looked as if the issue was dead in the water. Perhaps it does take a new perspective and fresh energy to come to this body, to add some life to an issue that is incredibly important to people back in my district in Wisconsin and throughout the entire country.

What united us freshmen was a common experience that we all shared in 1996 in winning our first election to the United States Congress. Those were typically very negative campaigns that was unbelievably costly, and we all realized that the system had run amuck and we need to do something about it.

Those who have supported Shays-Meehan, and I was a sponsor and supporter of Shays-Meehan, and those who are going to support the freshman bill can all be proud of the label that we all share. Reformers, because there has been a great philosophical divide on this issue.

Some in this body believe that the problem with the political system is not that there is too much money in it but that there is not enough money. That is not what motivated us freshmen. We believe we need to get the big money out of the political process and hopefully, therefore, the influence of money out of the political process, so we can restore some integrity and some credibility to this body again.

I would encourage my colleagues to support finance reform, and ask the Senate to pass it this year.

Mr. GEJDENSON. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. LEVIN).

(Mr. LEVIN asked and was given permission to revise and extend his remarks.)

Mr. LEVIN. Mr. Chairman, we are at the moment of a major victory, not final, but major. And the freshmen have helped us move to this moment, but their proposal is seriously flawed. Let me mention a few of the provisions.

It has a loophole for soft money relating to State parties. And that is not the question of the role of State parties, it is leaving a loophole for soft money.

Secondly, it would increase the contribution maximums from $25,000 to $50,000. That means a couple over 2 years could contribute $200,000 overall. I think that is unnecessary and too high.

But, thirdly, let me talk about issue ads. It is not a matter of curtailing free speech. It is whether speech that is really a campaign ad should be within the purview of our regulatory system.

The Supreme Court said this in Buckley: ''To the extent that large contributions are given to secure political quid pro quo's from current and potential office holders, the integrity of our system of representative democracy is undermined. Of almost equal as the danger of actual quid pro quo arrangements is the impact of the appearance of corruption stemming from public awareness of the opportunities for abuse inherent in a regime of large individual financial contributions.''

The Court in *Furgatch* said, Ten years later, as these ads began to proliferate, ''we begin with the proposition that 'express advocacy' is not strictly limited to communications using certain key phrases.'' And it goes on to say . . . '''independent' campaign spenders working on behalf of candidates could remain just beyond the reach of the act by avoiding certain key words while conveying a message that is unmistakably directed to the election or defeat of a named candidate.''

Shays-Meehan brings campaign ads within present campaign regulations. Democracy needs it. Vote for Shays-Meehan.

Mr. HUTCHINSON. Mr. Chairman, I yield myself 30 seconds.

I just want to respond to the comments from the gentleman from Michigan (Mr. LEVIN) concerning what they call the loophole about State soft money. We approached it in different way. We do not believe that the Federal Government ought to be mandating to the State governments and the political parties as to what they should do. Thirteen states, I believe it is, have already banned soft money to them.

What we do is take away the Federal candidates and office holders from raising soft money for the States and leave the rest of the regulation to them.

I do not think we ought to prohibit a State party from getting out the vote efforts for a legislative candidate just because a Federal candidate is on the ballot. And so that is the distinction, and I think it is the right approach to campaign finance reform.

Mr. SHAYS. Mr. Chairman, I yield myself 15 seconds to say this is well-intended but it is also a gigantic loophole. In order to prevent the abuse of soft money, we have to ban it on the Federal level and the State level for Federal elections. We do not ban soft money for State elections.

Mr. Chairman, I yield 2 minutes to the gentleman from New Hampshire (Mr. BASS) from the great state of ''Live free or die.''

Mr. BASS. Mr. Chairman, I thank my colleague from Connecticut for yielding.

I rise in opposition to the freshman substitute, not to denigrate in any way

the fine efforts of this team and the time that they have dedicated to developing a solution to the problem of reforming our campaign financial system, but to suggest that Shays-Meehan is a better product, wire-brushed by the public, if you will, over the last year or so, debated for countless hours in this body, perfected through the adoption of amendments offered, and worthy of our acceptance as the only product that has a reasonable chance of being enacted into law, which should be the ultimate goal for those of us who truly believe that the time is ripe for reform.

Now, I would point out, as has been discussed a minute ago, that the freshman substitute does not end the corrupt soft money system. And we can debate whether the States can do it or not, but the fact is we can still raise soft money for financing campaigns. And of particular interest to me, it leaves in place the current loophole through which unlimited corporate and union treasury funds are funneled into elections and there is no accountability.

Now, Shays-Meehan is not a perfect product. There are many provisions that I would like to see added. But this is not the day to demand a wish list. There is a commission established in this bill that will deal with all these other issues at another day. This is the day, my colleagues, to prove the cynics wrong and send Shays-Meehan to the Senate.

Now, over the last month or two, many amendments have been offered to Shays-Meehan, some with good intent, some to stymie the process. As painful as it may be to admit, the freshman bill now has become Custer's last stand for those who oppose reform. I would suggest to my colleagues that we make no mistake about it.

For better or for worse, a vote for the pending motion is a vote against moving forward with meaningful reform. I urge opposition to the pending motion.

Mr. HUTCHINSON. Mr. Chairman, I yield 30 seconds to the gentlewoman from Texas (Ms. GRANGER), a great freshman and a great Member of this body.

Ms. GRANGER. Mr. Chairman, I rise today in strong support of the campaign finance reform of the freshman class. I am proud to be a part of that class. It is a class that vowed to work in a bipartisan way toward real solutions to problems.

Now, while all the campaign finance proposals we are debating have the best of intentions, I am afraid some of them have not produced the best results. The freshman bill will have the most positive effect on campaign finance because it addresses the most profound problems. Not one of them, not just some of them, but all of them. It covers soft money. It covers issue advocacy. And it covers the rights of union workers.

Mr. Chairman, if we truly are going to treat the patient, should we not treat all the symptoms, not just some? For this reason, I am proud to be a part of the freshmen bill and I certainly support it.

Mr. GEJDENSON. Mr. Chairman, it is a great privilege for me to yield 2 minutes to the gentleman from Michigan (Mr. BONIOR), the whip for the minority.

Mr. BONIOR. Mr. Chairman, I thank my colleague for yielding the time.

Mr. Chairman, for a very long time many of us have worked hard to pass campaign finance reform and give America's electoral system back to the people that it belongs to, the voters of this country. And for more than a year a group of freshmen Members have worked very, very hard to make this happen. They have been pushing, cajoling, arguing, they have been at the forefront of this debate when people were absent and were not there.

□ 1330

They came here with a commitment to reform the way our electoral system works, and they have shown, I think, an incredible energy and determination in getting this body to take up this issue. I speak of Members on both sides of the aisle in the freshman class. We would not be at this point in passing the first real campaign finance reform legislation without their commitment and their passion and their drive. I want to congratulate them on their work.

Having said that, I also believe that the Shays-Meehan bill is America's best hope for real campaign finance reform. I think our unity now and in the future is dependent upon how we react to this proposal that is before us and how we vote on final passage which is just a few minutes away. We need to stick with the Shays-Meehan bill. We must resist the temptation to vote for any alternative that would block Meehan-Shays no matter how appealing it may seem.

In conclusion, I just want to again commend the freshman colleagues for their work, for their commitment to change, and I think the best way to meet that commitment to change, the best vehicle to move to the other body so we can have a really important debate on the final outcome of this drama is to pass Meehan-Shays today.

Mr. ALLEN. Mr. Chairman, I yield 1½ minutes to the gentleman from Tennessee (Mr. FORD), one of the class officers who has worked on this issue throughout the course of the past two years.

Mr. FORD. Mr. Chairman, I rise today to urge my colleagues to search their conscience and to support a campaign finance bill that will truly restore some confidence to our political system. I worked with both the gentleman from Maine (Mr. ALLEN) and the gentleman from Arkansas (Mr. HUTCHINSON) who have earned the respect and admiration and praise that we have showered upon them today, but I will reluctantly not support the bill in order to advance the Shays-Meehan effort. I do this because I refuse to be a party to those who are sponsoring and leading an effort to use the freshman bill to kill reform.

I urge a ''present'' vote on the freshman bill not because it represents artificial reform as some on both sides of the aisle have argued but because it has now become a tool for those in this body who want to kill reform once and for all.

I say to my freshman colleagues, let us not forget how we arrived at this moment. For authorship does not translate into ownership or leadership, it merely represents a component. For we helped this body, we helped Democrats, our leadership and their leadership arrive at this moment and we should take credit, if not all, certainly partial credit for that effort. For we helped inject the energy and a new product into this debate. For that we ought to be proud.

It is because we want, as others have so eloquently stated, to restore integrity and confidence to the policymaking process, because we want to see money limited in terms of its pervasive influence in this process that we worked so diligently. For Shays-Meehan includes everything we saw in the freshman bill and more.

For the gentleman from Maine (Mr. ALLEN), for the gentleman from New Jersey (Mr. PASCRELL), for the gentleman from Wisconsin (Mr. KIND), for the gentlewoman from California (Mrs. TAUSCHER), for the gentleman from Texas (Mr. LAMPSON), who all who worked on this bill, you ought to stand tall and stand proud, for American history is about to be made and we in the freshman class will help usher it in. I thank the gentleman from Maine (Mr. ALLEN) for his leadership. I thank the gentleman from Arkansas (Mr. HUTCHINSON) for his leadership.

I urge my colleagues to vote ''present'' on the freshman bill.

Mr. GEJDENSON. Mr. Chairman, I yield 2 minutes to the gentleman from Rhode Island (Mr. WEYGAND) who has done such a fine job here as a freshman Member.

Mr. WEYGAND. Mr. Chairman, I want to thank my colleague and neighbor the gentleman from Connecticut (Mr. GEJDENSON) for yielding me this time. I rise in support of the freshman bill today, Mr. Chairman, not in hostility or disappointment with the Meehan-Shays bill but clearly to identify what we think is most important, and, that is, the atmosphere of unity that we have here today. The issue that we are debating, campaign finance reform, was embraced wholly by both the Democrat and Republican freshmen as we came into office this year. We came upon this issue and we agreed as a unified body that we would not include poison pills that would damage the potential of passage not only here in this House Chamber but also in the Senate. The unity that we are talking about and the many Members that are here talking about true campaign finance

reform, from our task force, to the gentleman from Massachusetts (Mr. MEEHAN), to the gentleman from Connecticut (Mr. SHAYS), to the gentleman from Tennessee (Mr. WAMP), to everyone who is here, we must recognize that one of the most dangerous parts of what we are talking about is not in this Chamber, it is in the other Chamber.

If you read the paper this morning, the comments by the majority in the other Chamber is that this bill, meaning Shays-Meehan, is dead on arrival. ''Been there, done that, forget about it.''

That kind of leadership over there is what we should be unified against. The importance of the freshman bill was that we stripped away all the poison pills that we thought would have a detrimental impact on their side and our side. I love the idea of the gentleman from Massachusetts' bill with regard to issue advocacy being curtailed. The other side loves the idea of labor advocates being curtailed. We pulled those out because we wanted a bill to pass. What we are having here today is a unity rally amongst all of us. The problem is on the other side, who will kill every bill that we put before them because they do not agree with campaign finance reform.

I hope that we will be unified once we pass one of these bills as we are at this moment, to rally against what they intend to do and to rally for true campaign finance reform in the spirit of what we began here two years ago.

I want to compliment the gentleman from Maine (Mr. ALLEN) and the gentleman from Arkansas (Mr. HUTCHINSON), the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) for the excellent leadership and the participation in this process.

Mr. HUTCHINSON. Mr. Chairman, I yield 1 minute to the gentleman from Utah (Mr. COOK) my good friend and task force member.

Mr. COOK. Mr. Chairman, I thank my friend from Arkansas for yielding me this time. As a supporter and someone who voted for Shays-Meehan, I nevertheless rise in support of the freshman bipartisan campaign finance reform bill. I reject the notion that a vote for this bill is a vote against Shays-Meehan. I believe in Shays-Meehan. I believe in limits on soft money. I think we are all joined in that, and clearly a majority of the Members of the House believe there ought to be limits on soft money. Let us be brutally honest. Shays-Meehan curbs it more directly and more severely. But what the freshman bill does have going for it is a better chance at constitutionality and getting passage in the Senate, and that is why I think we ought to quit arguing among each other and realize that either one of these versions will be a great victory for the American people. We should all be free, those of us that want to limit soft money, of voting for both if we want as a way to check out which one the majority of our Members thinks might have the best chance at final success.

Mr. GEJDENSON. Mr. Chairman, I yield 2¼ minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in opposition to this amendment, not because it is bad but because we have an alternative that is significantly better. Our new Members who are here offering this amendment, I believe, have provided essential momentum in the course of this long reform process. Indeed, I do not believe that it is an overstatement to say we might well not be at the point we find ourselves this morning had not we had leadership from our newest Members in this Congress, on both sides of the aisle, coming together, trying to overcome differences and working together to move this process which faced so many roadblocks in the way, to move it forward. I applaud them as I have previously, as I have both Republican and Democratic Members of the freshman class previously on this floor for the role that they have played. I believe they deserve our sincere commendation, but I do not believe that this proposal deserves our vote.

None of the proposals, to be very clear, that are offered today by anyone on this floor is perfect. None of them accomplishes all of the reform and cleaning up the campaign mess that I would like to see happen. But I believe that we need to move forward doing as much as we can when we can do it, and the strongest proposal that we have, as even the last speaker candidly conceded, is the Shays-Meehan proposal. That is why I believe we need to continue working together to try to get this approved during this very year.

The amount of soft money that is being raised by both political parties is just going off the charts. From 1984 to 1996, the amount of soft money raised by the two political parties from corporations, unions and other interests went up 20 times, twentyfold, from $12 million to $262 million. That issue is dealt with by simply banning soft money.

In short, we say today our opponents have used every other tactic to try to block Shays-Meehan in the books. Let us not let the good be used to get in the way of the better. Today let us vote down this amendment and move on to have the most campaign reform we can have. Clean up this special interest money. Approve Shays-Meehan.

Mr. SHAYS. Mr. Chairman, I yield myself 30 seconds to recognize the freshmen on both sides of the aisle but particularly to salute seven GOP freshmen, Republican freshmen, the gentleman from Arkansas (Mr. HUTCHINSON) has been recognized and deserves to be, the gentleman from Montana (Mr. HILL), the gentleman from Utah (Mr. COOK), the gentleman from Nevada (Mr. GIBBONS), the gentleman from Illinois (Mr. SHIMKUS), the gentleman from Texas (Mr. BRADY) and the gentleman from Missouri (Mr. HULSHOF). I recognize them because we would not be here today if it was not for them.

The Speaker of the House said that he was willing to bring this bill forward because admittedly of the petition drive and agree that it would be a bipartisan bill, and we only had that bipartisan freshman bill that he would have accepted. I am extraordinarily grateful to them.

Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from New Jersey (Mrs. ROUKEMA), an early supporter of campaign finance reform.

(Mrs. ROUKEMA asked and was given permission to revise and extend her remarks.)

Mrs. ROUKEMA. Mr. Chairman, I rise in opposition to this amendment and urge my colleagues by all means to stand firm in support of Shays-Meehan. The freshman bill at one time was a respectable fallback position. But we are now on the brink of a historic moment, historic legislation. This is not the time to fall back. It is the time to leap forward with Shays-Meehan in this historic debate. I recognize that there are some elements of reform in the freshman bill, but it has loopholes that have been more than adequately substantiated here in this debate. It makes the bill substantially weaker than Shays-Meehan. The freshmen have an opportunity here today to be a breath of fresh air here in Washington and help restore the faith of the American people in our democracy. The cynicism, I do not have to tell my colleagues about. Help us restore faith in our democracy. And then these freshmen will be able to stand tall in November as we all face the voters and show that we have been part of a historic moment in time to restore faith in democracy and bring back our people to the democracy where every vote counts.

Mr. Chairman, I rise in opposition to the Hutchison-Allen amendment and urge my Colleagues to stand firm in their support for Shays-Meehan. Mr. Chairman, the freshman bill at one time was a respectable ''fall back'' position. But we are now on the brink of an historic leap forward—namely passing Shays-Meehan.

I want to commend the authors of this amendment, the gentleman from Arkansas, Mr. HUTCHINSON, and the gentleman from Maine, Mr. ALLEN. Throughout their relatively short Congressional careers, they have proven themselves to be active and creative reformers. Indeed, we have found ourselves arguing from the same side of the table more often than not. However, while it has some element of reform—it has loopholes and is substantially weaker than Shays-Meehan.

The American people have become hardened cynics when it comes to our electoral process. They believe—with some justification—that elections are bought by the interest group with the fattest wallet.

The freshmen have the opportunity to be a breath of fresh air and help restore the faith of the American people in our democracy. And

these freshmen will stand tall before their voters as part of this historic legislation.

Perhaps the most corrosive development in modern American campaigns has been the explosion of so-called ''soft money''—donations from wealthy corporations, individuals, labor organizations and other groups to the major parties.

These funds are raised and spent outside the reach of federal election law and are directly connected to many of the scandalous practices now the focus of numerous investigations in both parties—White House coffees, overnights in the Lincoln bedroom, alleged contributions from the Chinese military to the DNC, and more.

Therefore, to be effective, any reform bill must deal with soft money. Unfortunately, the amendment we have before us only goes halfway. It contains a loophole large enough to drive an armored care stuffed with campaign cash through. This bill shuts down the federal soft money faucet, but allows these funds to be funneled through the various state parties. That's no reform at all.

My Colleagues, if we do nothing else—let's ban soft money. My Colleagues—soft money is at the heart of each and every one of these scandals we see in the headlines today.

Let's restore the integrity of the American political process.

The Shays-Meehan bill is the only substitute amendment that contains a hard ban on soft money.

Reject the Hutchinson substitute. Support Shays-Meehan.

Mr. HUTCHINSON. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. BRADY) who has been extraordinarily instrumental and supportive of this battle for reform.

□ 1345

Mr. BRADY of Texas. Mr. Chairman, I thank the gentleman from Arkansas (Mr. HUTCHINSON) and the gentleman from Maine (Mr. ALLEN) for the leadership they have had on this issue. I think we do have to agree that we need to enforce the laws on campaign finance in America, whether they are existing laws or the new laws we are talking about, because without enforcement they are meaningless, what we are talking about is meaningless.

Let me tell my colleagues this. I am proud to be in support of the freshman bill because my concern is that every election year we seem to drift farther and farther away from a citizen Congress, one made up of people from all walks of life. Today an open seat in Congress costs about a million dollars to win. A lot of people do not have a million dollars, they do not know where they would get a million dollars.

And that is means that some day, and it is doubling every four years, by the way, so some day we are going to wake up and find out only the very wealthy people can serve in Congress. And I know a lot of people who may not be rich, but they are wealthy in common sense, they are prosperous in their principles, they have tremendous values, and while they may not live in the biggest house on the hill in my town, they would do America proud serving this House on this Hill, and I think the freshman bill moves us back toward a citizen Congress.

Now let me tell my colleagues what the freshman bill is not. It is not a gutting bill on campaign finance reform. We have heard that mindless empty mantra so long that when applied to this bill it simply does not fit, because I have watched how hard our freshmen from both sides of the aisle have thoughtfully worked to push and move this bill forward, that it simply is silly, and we deserve better. And those leaders, freshmen leaders, deserve better.

And finally, Mr. Chairman, I was disappointed to see today that our colleagues were urged to vote ''no'' or ''present'' on the freshman substitute. Let me just urge everyone to take a stand on this bill. There is a reason the present light is yellow. It is reserved for those timid and meek souls who refuse to take a stand on the issue and whose legacy in the debate on campaign finance is: Want to be recorded as being in the room.

Vote ''yes'' or vote ''no'', but take a stand on the principles against or for banning soft money, preserving free speech, preserving States' rights, encouraging people to raise money in their district, and let us move forward, yes or no, but record and take a stand and, I hope, in support of the freshman bill.

Mr. ALLEN. Mr. Chairman, I yield 1¼ minutes to the gentleman from New Jersey (Mr. PASCRELL) who has been an outstanding member of the Freshman Task Force.

(Mr. PASCRELL asked and was given permission to revise and extend his remarks.)

Mr. PASCRELL. Mr. Chairman, first to the gentleman from Maine (Mr. ALLEN) and the gentleman from Arkansas (Mr. HUTCHINSON), who have helped, each of them, to begin to reestablish the integrity of this body. If I did not mean it, I would not say it. When our institutions are under attack, they choose not to be timid. They choose not to be the yellow light. They choose to come forward. Every one of the folks on each side stated what they wanted to state in all honesty. We were very frank with one another.

This is about restoring integrity to the Congress of the United States of America. We propelled the discussions. Who would have thought we would be here today in February of 1997? It was our wildest imagination. I want to thank each of them. I am honored to have served with them and the members of the committee.

This is not a day of proponents or opponents. This is a day for this body to come together, to be very clear where we stand on campaign finance reform. Good luck to the gentleman from Connecticut; good luck to the gentleman from Massachusetts.

Mr. ALLEN. Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Mrs. MCCARTHY), a staunch advocate of campaign finance reform.

Mrs. MCCARTHY of New York. Mr. Chairman, again, when we all came together as a freshman class, one of the first things that we said, what was the most horrible thing about going through our campaign? And we were all tired, and we were all sick of the things that happened to us, and that is when this idea came together. Our freshman class has nothing to be embarrassed about. We worked together, we stood together, and because we did that, that is why we are going to see campaign finance reform.

Before we go home we will have campaign finance reform, and do my colleagues know what? The people outside this Beltway, and a lot of us are new to that, can hold our heads up high. We will fight for the people back home.

I do not want to spend 20 to 30 hours a week raising money, and I have not done that. None of us want to do that. But until we have campaign finance reform, and I am sorry, I do not want someone to say, ''Let me donate to you, but I want your vote.'' We have to get rid of that.

Mr. HUTCHINSON. Mr. Chairman, I yield 4 minutes to the gentleman from Missouri (Mr. HULSHOF), the president of the freshman class at the time this task force was created and who has been a tremendous inspiration for our class in leading this effort.

Mr. HULSHOF. Mr. Chairman, the headlines on Tuesday morning's paper in the city proclaimed: House Votes to Ban Soft Money and Increase Disclosure Requirements for Candidates. Guess what? If my colleagues vote for the freshman bill, they will get those same kudos tomorrow morning from the press because our freshman bill does just that.

And let me say that I applaud and appreciate all the positive comments that our more senior Members have said here today, somewhat patronizing, I say, but I do appreciate those comments. And to the gentleman from California who talked about the problems in California, I respectfully believe that the freshman bill is a better bill than Shays-Meehan for a couple of reasons:

We ban soft money. We prohibit the gentleman from California or any Member of Congress or any candidate for Federal office from raising soft money. We ban the State of California from allowing contributions of soft money to go to them. And yet is it up to us in this body to tell California what it should do? Is it up to those of us in this body to say what the election laws in Maine or Arkansas or in the State of Missouri should be?

And for that reason I respectfully say that the Shays-Meehan bill is overreaching. It is fatally flawed in that effort because State parties might want to have and raise resources for get-out-the-vote efforts or for educating voters in the respective States on party platforms.

Now secondly, I believe, respectfully again, I say to the gentleman from

Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN), that their bill is flawed because of this arbitrary 60-day bright line, before-election line that they put in the sand. Members know, as they have been coming over for these votes for various days, there is an ardent reform group that has been parked on the street corner with a ticking clock saying that we need to enact reform because the clock is ticking, and they have been handing out literature propaganda like this that says: Urge a vote against the freshman bill.

It is interesting, I see the gentleman from Montana (Mr. HILL) here who had a recent election in the State of Montana, a primary election. This same zealous group was trying to defeat him in his election with this same type of information, and the ultimate irony of this is if Shays-Meehan were law, if Shays-Meehan were the law of the land, this group would be lawbreakers because of the distribution of this information. Shays-Meehan is flawed in that regard.

Not to mention all of the dispute that we have had about the constitutionality. Even the liberal-leaning St. Louis Post Dispatch editorial board says that there are constitutional problems with Shays-Meehan. And as the gentleman from California (Mr. THOMAS) talked about the other day, that if Shays-Meehan is declared null and void by the Supreme Court of this land, that they will then be writing law. At least the freshman bill would come back to this body.

As a final point, I am a bit disappointed that some Members have come here, especially my freshman Members, who said we urge a ''present'' vote. I want to talk about integrity. This bipartisan bill has 77 cosponsors, 77 cosponsors, 21 Republicans and the remaining Democrat Members. To this Member, as a brand new Member of Congress, when we cosponsor a piece of legislation what we are saying is that we are willing to put our names on the line because we support what is in the bill.

This is called, the freshman bill is called, the Bipartisan Campaign Integrity Act. It is time for the integrity of the elections process to begin today. So to the 77 cosponsors of our bill, I say it is time to put their vote where their name was on this bill. Instead of the Hutchinson-Allen bill, this bill could be called the Gejdenson-Wamp bill. It could be called the Campbell-DeLauro bill.

So I urge the cosponsors of the freshman bill, do not take a pass. It is time for the integrity to begin today, because I believe, as the other freshman Members believe, we have the better bill, and I urge a ''yes'' vote.

Mr. SHAYS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise first to correct the gentleman. No sheet like the gentleman from Missouri showed would have been outlawed. The 60-day test relates to radio and TV and not a handout.

Secondly, I just would suggest to the gentleman that cosponsoring a bill means we support the bill, but when we have a Queen of the Hill situation we can support two bills, and then we have to choose which is the better of two bills we sponsor or even cosponsor.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut (Mrs. JOHNSON), my colleague, a gentle and very strong lady, and very courageous.

(Mrs. JOHNSON of Connecticut asked and was given permission to revise and extend her remarks.)

Mrs. JOHNSON of Connecticut. Mr. Chairman, I rise in opposition to the Hutchinson bill, but do commend the freshmen for their bipartisan effort and their dedication to moving the issue of campaign finance forward.

We all believe we need to restore confidence and accountability to our Federal election system. I believe the Shays-Meehan bill is the best way to achieve our goals. We must give the American public what they are demanding, an open and fair system of elections.

The Hutchinson bill fails to address one of the most serious loopholes in our campaign finance law, the so-called sham issue ads. In recent elections we have watched special interest money exploit this loophole by pouring millions of dollars into campaign ads in elections all over the country. No one knows how much money these special interest groups are spending or where that money is coming from, because these groups do not have to disclose that information.

Shays-Meehan clamps down on this loophole by requiring these outside groups to play by the same rules as everyone else. It restores accountability to the political process by requiring these groups to disclose who they are and where their money is coming from.

Shays-Meehan in no way takes away the right of these groups to participate in the political process. It does not limit their freedom of speech, as some of my colleagues have suggested. Rather, it increases public awareness about where the special interest money is coming from, and that is something the American people are demanding and deserve to know.

Today is our chance to tell the American public that we are committed to a system of clean and fair elections. I urge my colleagues to vote against the Hutchinson bill and pass the Shays-Meehan bill.

Mr. ALLEN. Mr. Chairman, I yield 1 minute to the gentlewoman from Oregon (Ms. HOOLEY), who has been one of our class officers in the freshman class and a staunch supporter of the Freshman Task Force process.

□ 1400

Ms. HOOLEY of Oregon. Mr. Chairman, first of all I would like to congratulate the gentleman from Arkansas (Mr. HUTCHINSON) and the gentleman from Maine (Mr. ALLEN) for the work they have done, and the entire task force.

Let me talk a little bit about how this came about. When we came here as freshmen, we said one of the things we wanted to do, let us look for some commonality amongst our freshman class. All of us were elected in a year after the 104th Congress. We said there was too much finger pointing, too much bickering. Let us find our commonality and our common goals. We said campaign finance reform, we are coming in with new eyes as freshmen, let us deal with campaign finance reform, and let us deal with it in a bipartisan way.

So we had a task force literally from the first month we were in session begin to work on campaign finance reform, and they worked and worked and had hearings and had hearings, and when the leadership said, well, we are not too excited about campaign finance reform, the freshmen pushed and the freshmen pushed and the freshmen pushed.

I have to say congratulations to all of the task force for the work that they have done. We would not be here today without the freshmen and the work that they have done. It is time to give elections back to the people.

Mr. SHAYS. Mr. Chairman, I yield the balance of my time to the gentleman from California (Mr. CAMPBELL), my close partner in this effort.

The CHAIRMAN. The gentleman from California is recognized for 2¼ minutes.

Mr. CAMPBELL. Mr. Chairman, I thank my dear friend, I have the highest admiration for all that the gentleman from Connecticut (Mr. SHAYS) has done for the cause of campaign finance reform. It has been an honor to work with the gentleman on this.

Mr. Chairman, I am not the most partisan member of this body, but there is a huge point that just has not been said bluntly enough, so here it is. With regard to soft money, more or less, generally speaking, Republicans have an advantage. With regard to issue ads in the last 60 days, more or less, Democrats have an advantage. We saw this in New England. In the last 60 days, the AFL–CIO puts tons of money out of union treasuries into supposedly issue ads, slamming Republican candidates, and with devastating effect.

To my fellow Republicans, if you vote for the freshmen bill, you are signing on to the part of a compromise that deals effectively with soft money, but you do nothing about those ads in the last 60 days that mention the name of the candidate—the tactic that was so devastating to Republican candidates in New England.

A compromise is a balance; both sides give, both sides get, both sides give a little back. If we go ahead with the freshman bill, we have done nothing against the most abusive practice that was used against Republicans in the last election cycle, ads that

claimed to be discussion of issues, but were slams on candidates in the last 60 days, using their names.

I cannot support the freshman bill. It is not balanced.

And even for what it does on soft money, the freshman bill only solves a bit of the problem, because as long as there is a single state candidate on the ballot, you can shuffle all the money in and say it is soft money for the state candidates' benefit.

As to constitutionality, I can say that if the soft money issue is in trouble, it is in trouble with the freshman bill as much as with Shays-Meehan. If the 60 day issue is in trouble, we have a severability clause so the Supreme Court can decide and uphold that which is constitutional.

But let us at least try. Let us try to get a balance that helps the honest voter get a true statement of who is behind the ads, instead of having the kind of unfair attacks in the last 60 days, where you do not know who is putting the money behind them.

I do not know what more I can do. I know this: I have given up my own alternative, I voted against amendments that I wished, and I have done it consistently, because only one bill has a chance in the Senate, and that is not a bill that has never had hearings in the Senate, it is not a bill the Senate has never voted on. It is not the freshman bill. It is Shays-Meehan.

Mr. HUTCHINSON. Mr. Chairman, I yield myself 30 seconds for the purpose of asking the gentleman from California (Mr. CAMPBELL) a question.

I would say to the gentleman from California (Mr. CAMPBELL), first of all, I appreciate you cosponsoring the freshman bill, and I know that you are a supporter of Shays-Meehan. But would the gentleman acknowledge today, so we have a clear understanding, that Shays-Meehan as currently drafted would violate the Supreme Court decision of Buckley v. Valeo, and it is the gentleman's hope that the Supreme Court will change their mind?

Mr. CAMPBELL. Mr. Chairman, will the gentleman yield?

Mr. HUTCHINSON. I yield to the gentleman from California.

Mr. CAMPBELL. No, sir. I think that may be the accurate description of some. It is not mine. Here is why. Shays-Meehan does not violate Buckley v. Valeo's prohibition on expenditure. Buckley v. Valeo allowed limits on contributions.

Mr. HUTCHINSON. Mr. Chairman, reclaiming my time, I will cover that later.

Mr. GEJDENSON. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, the people of this country watching this debate, as few or many as they are, obviously feel some confusion. Everyone gets up and claims that they have the product that personifies reform, and, as you look through history, leaders good and bad, propositions decent and evil, all claim to be reform. It is a hard cut. I think Lenin, Stalin and Brezhnev all claimed that they brought reform to the Russian people.

I can tell you what will create the most change, what will take power away from those that have too much and will give some power back to the people, and that is Shays-Meehan.

The discussion of integrity in the process, and I forget which gentleman raised the issue, and I am sure he is earnest, oversimplifies the situation. Many of us in this Chamber cosponsored and introduced a number of bills. The Farr bill is a bill that I have worked on for almost 10 years now. I did not vote for it; I would not have voted for it if it came up for a vote, because we are in the process that the Republican leadership of the House has set up intentionally to make it very difficult to get a bill that has any chance in the other body of succeeding. The only way to do that is to vote down the freshman bill, do not vote for any of the other bills, as we have not, and then pass Shays-Meehan.

Lastly, I would say to the American people that this debate would be awfully discouraging. Many of the Members in this Chamber admit the influence of large contributions and the chase for cash on their time and possibly even some Members' commitments.

I can tell you this: Nothing a Member in this Chamber says will change the outcome in the Senate. But the average citizens of this country can change the outcome in the Senate. If, when this bill passes, when Shays-Meehan passes this House, the citizens of this country write and call their Senators and tell them they demand to see this very small and incremental step be taken, they can change the outcome of this process.

We Members of Congress are far more limited. We can hopefully today get Shays-Meehan over to the other body, to the Senate. But it is the people of this country that have within their capability, within their power, to affect this system and then send a signal for future reforms as well.

I have been here all too many times when big shots were on a stage clamoring for position in front of the cameras, where the real spokesmen and strength came from 100,000 or 200,000 people on the mall. As important as the Members of Congress and others who came to the mall and stood there for freedom were, for Soviet Jews, for human rights and for so many other issues, it was that there were tens and hundreds of thousands of American citizens who came to this town to speak that changed civil rights laws, that changed Soviet policy, that taught us and led us in the area of human rights.

I believe if the American citizens speak out with a loud and clear voice, the Senate will get its additional votes, and we will have the beginning of campaign finance reform.

Mr. ALLEN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the freshman task force process began because we were veterans of the 1996 elections. We came to this House, and we knew we wanted to do something about what had happened to us in the 1996 elections. We had survived that process because we were here. But we were not happy with the process. We were not happy with the amount of soft money that had been poured into campaigns, on both the Republican side and the Democratic side. We were not happy with the amount of issue advocacy money that had been poured into campaigns from groups on the left and groups on the right.

We created a freshman task force, which I was proud to cochair with the gentleman from Arkansas (Mr. HUTCHINSON), and, over the past year and a half, we have worked on this issue diligently. We have never given up.

There have been those reformist groups on the outside who have said we have not gone far enough. There have been groups on the outside who have said we are doing too much. We have kept our course, we have stood by the product, and we have stood by the process.

I have to say that my cochair, the gentleman from Arkansas (Mr. HUTCHINSON), has, throughout this process, demonstrated the kind of courage and commitment that you need to survive in this place and get anything done, and it has been. I am proud to have served with him.

Mr. Chairman, let me address just a couple of issues about the freshman bill. There are those who say there is a loophole, and it will allow state money to be raised at the state level. Well, let us face it: Minor differences become major differences when you get to the final point between two bills that in fact are very close together.

What do we do? We take Federal elected officials, we take Federal candidates, we take national parties, national party committees and their agents, and we take them out of the business of raising soft money. That is real reform. That is a real soft money ban. It is a soft money ban that works.

We do not go as far on issue advocacy as Shays-Meehan does in many respects, but if you listen to the diversity of opinion in this Chamber, you understand that this is the most complicated issue we have to deal with. It is personal to every Member. We are all experts.

What we have done is created a good, solid campaign reform bill. I am going to be proud to vote for it today. I voted for Shays-Meehan, but I will vote for this freshman task force substitute. I am proud of the committee, and I am proud of what we have done. It is good, solid substantial reform.

Mr. GEJDENSON. Mr. Chairman, it is my privilege to yield the balance of my time to the gentleman from Kentucky (Mr. BAESLER), who has led the effort on campaign finance reform, not in this Congress but several previous

Congresses, and led the effort on the discharge petition that actually got us here today.

The CHAIRMAN. The gentleman from Kentucky is recognized for 3¼ minutes.

(Mr. BAESLER asked and was given permission to revise and extend his remarks.)

Mr. BAESLER. Mr. Chairman, this is it. They said we never would get here, they said it could not be done, the anti-reformers, the pundits and the cynics, but here we are. We proved them all dead wrong.

They all said there was no chance, no chance, that bipartisan campaign finance reform would pass the House. They said the public did not care. They said that Members would never vote to change a system that got them elected. They said Republicans and Democrats would never be able to work together on reform.

In January 1997, when Shays-Meehan was introduced, they said it was dead on arrival. In February 1997, when the freshman task force was launched, they said it was futile. Last October, when McCain-Feingold was filibustered, they said campaign support was dead for this Congress. Last February, when the Senate reformers resurrected it, they filibustered it again. Then they said it was really, really dead for Congress.

Last fall, when we introduced the Blue Dog discharge petition, they said it would not go anywhere. They said no Republican would ever sign it. They said that the petition would never, ever get 200 signatures.

In March, when they used sham suspension votes to try to kill it, they said ''Now campaign finance reform is really, really dead.'' In April, when the Blue Dog discharge petition was going to win, they finally promised a bill. Still they said ''We will kill your bill with poison pill amendments.''

Still, Mr. Speaker, there were some things they forgot and some things they did not count on. They did not count on a bipartisan majority coming together because they believe passing bipartisan campaign reform is the right thing to do. They did not count on the absolute faith of the gentleman from Connecticut (Mr. SHAYS) in the justice of his cause, or the hard work of the gentleman from Massachusetts (Mr. MEEHAN). They did not count on the freshman task force's extraordinary courage, leadership, and perseverance.

They did not count on the gentleman from Missouri (Mr. GEPHARDT) and the gentleman from Michigan (Mr. BONIOR) rallying to the cause of reform. They did not count on business leaders like Warren Buffet and Jerry Kohlberg supporting a soft money ban. They did not count on a dozen brave Republicans, like the gentleman from Tennessee (Mr. WAMP), the gentleman from Iowa (Mr. LEACH), the gentlewoman from New Jersey (Mrs. ROUKEMA), and others, signing the Blue Dog discharge petition, and they did not count on 237 Members of the House putting aside partisan politics and once, just once, doing the right thing.

Now, some still say none of this matters, that the Senate will not even vote on this bill, that we will see Elvis before this bill is passed. But those are the same people that said the House will never pass it.

So I urge Members of Congress, I urge all Americans, remember this day and take heed. Against all odds, the 105th Congress will pass bipartisan campaign reform, and soon, next month, maybe later, bipartisan campaign reform will be signed into law and this government will be given back to the people.

I urge my colleagues to vote for the Shays-Meehan bill.

□ 1415

Mr. HUTCHINSON. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, it is the final hour in this debate on campaign finance reform. In life, if you are in the final hour you are all of a sudden seeing the big picture, what is important in life versus what is trivial. In this House, it is the final hour on reform, and we need to take the long look at life, the long look at reform.

First of all, take a look back. If we look back at where we started in our freshman task force, we started that task force because the current proposals on campaign finance reform, including the Shays-Meehan proposal, were going nowhere. They were going nowhere.

We said, let us have some principles. Let us avoid the extremes. Let us agree upon what we can mutually say both sides will vote on. We said, let us not challenge the Constitution, let us have that which is constitutional and will be upheld. Let us do something which can pass this body, the next body, be signed into law, and be upheld.

Those were the principles that we had. The final principle was that we were going to have a commitment to bipartisanship. One of the lasting things that I will take out of this debate is my friends on both sides of the aisle, freshmen who are warm to reform and who are committed to this process, who are friends, and who will continue to fight for this through the lifetime we are here in this body. That is the long look.

We also have to take a look forward. If we look forward, we want the headline tomorrow that, ''Campaign Finance Reform Passes''; yay. We also do not want a subsequent headline that says, ''The Senate Kills Reform; the Senate Fails to Take It Up; the U.S. Supreme Court Strikes It Down.'' That is where we go back to where we started from. Where we started was, let us get together and see what is constitutional, and let us get it passed. That is where we are today. We need to remember where we started.

If we look forward again as to what can happen, what are we going to pass out of this body? Are we going to pass a political statement? Are we going to pass something that will advance a particular agenda? No. Let us pass something that is important, what will get through the United States Senate.

If we look at what has been said already, TRENT LOTT has been made reference to. He happens to be the leader on the other side. ''Without any chance of 60 votes, why bring up Shays-Meehan? It would be a waste of time.'' That is what he says.

Then there are those who say, well, the Republican leadership wants the freshman bill to be a stalking horse and to put down Shays-Meehan. That is not the case. In today's Roll Call, one leadership source says that they are afraid of the freshman bill going to the Senate, not the Shays-Meehan but the freshman bill, because that is what can be taken up over there. They know they do not have the votes on Shays-Meehan. It will die over in the Senate.

Let us keep our eye on the big picture. Then, what will happen in the courts? The gentleman from California thinks, well, it will be upheld. Thinking is not enough. I do not believe we should base our efforts on reform on the mood of the United States Supreme Court. They have said clearly what they offer in Shays-Meehan is unacceptable, it will not pass. Why challenge that? Let us not risk our efforts. Let us vote for the freshman bill, because that is reform.

I said this is the final hour. Let us make it the finest hour in this body and pass the freshman bill.

Mrs. TAUSCHER. Mr. Chairman, I rise as a strong advocate of campaign finance reform, a member of the Freshman Bipartisan Campaign Finance Reform bill, and a supporter of the Meehan-Shays reform plan.

Eighteen months ago, I joined with 11 of my colleagues to form the Bipartisan Freshman Campaign Finance Reform Task Force. Our goal was to bring the issue of campaign finance reform to the forefront of the Congressional agenda. I am pleased that we were able to achieve that goal.

We conducted months of meetings, including two public forums, which effectively served as the only hearings the House of Representatives conducted on this issue. The Task Force committed to developing legislation that would represent a bipartisan effort on campaign finance reform and ultimately a first step in the process of bringing true reform to the political process.

I believe that one of the greatest achievements of the freshman Task Force is that it helped build momentum for House consideration of campaign finance reform. When the leadership made it clear that it would not bring Meehan-Shays to the floor of the House for a vote, the Task Force hoped its bill would serve as a starting place for debate on campaign finance reform. Our work has proven to be more than a starting place, it is the platform on which the most comprehensive campaign finance reform legislation has been successfully built.

Passage of the Meehan-Shays amendment Monday was an historic moment. If we pass

the bill today with the Meehan-Shays language, we will have endorsed the most comprehensive political reform this body has seen in 20 years.

So, it is unfortunate the Republican leadership of this House has chosen to use the Freshman bill as a tool in a cynical attempt to block final passage of the Meehan-Shays proposal. The rule dictating debate of campaign finance reform means that a vote for the Freshman bill is a vote against the Meehan-Shays bill. As a result, I will vote ''present'' on the Freshman bill in order to ensure the passage of Meehan-Shays.

We owe it to the American people to pass the most comprehensive campaign reform legislation in front of the House. That bill is Meehan-Shays. By passing comprehensive campaign finance reform, we take a much needed step to restore the faith of the American electorate in our political system.

The CHAIRMAN pro tempore. All time has expired.

AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 8 OFFERED BY MR. HUTCHINSON

Mr. HUTCHINSON. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN pro tempore. The Clerk will designate the amendment in the nature of a substitute.

The text of amendment in the nature of a substitute is as follows:

Amendment in the Nature of a Substitute No. 8 printed in the CONGRESSIONAL RECORD and offered by Mr. HUTCHINSON:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Bipartisan Campaign Integrity Act of 1998''.

TITLE I—SOFT MONEY AND CONTRIBUTIONS AND EXPENDITURES OF POLITICAL PARTIES

SEC. 101. BAN ON SOFT MONEY OF NATIONAL POLITICAL PARTIES AND CANDIDATES.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by adding at the end the following new section:

''BAN ON USE OF SOFT MONEY BY NATIONAL POLITICAL PARTIES AND CANDIDATES

''SEC. 323. (a) NATIONAL PARTIES.—A national committee of a political party, including the national congressional campaign committees of a political party, and any officers or agents of such party committees, may not solicit, receive, or direct any contributions, donations, or transfers of funds, or spend any funds, which are not subject to the limitations, prohibitions, and reporting requirements of this Act. This subsection shall apply to any entity that is established, financed, maintained, or controlled (directly or indirectly) by, or acting on behalf of, a national committee of a political party, including the national congressional campaign committees of a political party, and any officers or agents of such party committees.

''(b) CANDIDATES.—

''(1) IN GENERAL.—No candidate for Federal office, individual holding Federal office, or any agent of such candidate or officeholder may solicit, receive, or direct—

''(A) any funds in connection with any Federal election unless such funds are subject to the limitations, prohibitions and reporting requirements of this Act;

''(B) any funds that are to be expended in connection with any election for other than a Federal office unless such funds are not in excess of the amounts permitted with respect to contributions to Federal candidates and political committees under section 315(a)(1) and (2), and are not from sources prohibited from making contributions by this Act with respect to elections for Federal office; or

''(C) any funds on behalf of any person which are not subject to the limitations, prohibitions, and reporting requirements of this Act if such funds are for the purpose of financing any activity on behalf of a candidate for election for Federal office or any communication which refers to a clearly identified candidate for election for Federal office.

''(2) EXCEPTION FOR CERTAIN ACTIVITIES.—Paragraph (1) shall not apply to—

''(A) the solicitation or receipt of funds by an individual who is a candidate for a non-Federal office if such activity is permitted under State law for such individual's non-Federal campaign committee; or

''(B) the attendance by an individual who holds Federal office or is a candidate for election for Federal office at a fundraising event for a State or local committee of a political party of the State which the individual represents or seeks to represent as a Federal officeholder, if the event is held in such State.

''(c) PROHIBITING TRANSFERS OF NON-FEDERAL FUNDS BETWEEN STATE PARTIES.—A State committee of a political party may not transfer any funds to a State committee of a political party of another State unless the funds are subject to the limitations, prohibitions, and reporting requirements of this Act.

''(d) APPLICABILITY TO FUNDS FROM ALL SOURCES.—This section shall apply with respect to funds of any individual, corporation, labor organization, or other person.''.

SEC. 102. INCREASE IN AGGREGATE ANNUAL LIMIT ON CONTRIBUTIONS BY INDIVIDUALS TO POLITICAL PARTIES.

(a) IN GENERAL.—The first sentence of section 315(a)(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(3)) is amended by striking ''in any calendar year'' and inserting the following: ''to political committees of political parties, or contributions aggregating more than $25,000 to any other persons, in any calendar year''.

(b) CONFORMING AMENDMENT.—Section 315(a)(1)(B) of such Act (2 U.S.C. 441a(a)(1)(B)) is amended by striking ''$20,000'' and inserting ''$25,000''.

SEC. 103. REPEAL OF LIMITATIONS ON AMOUNT OF COORDINATED EXPENDITURES BY POLITICAL PARTIES.

(a) IN GENERAL.—Section 315(d) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(d)) is amended by striking paragraphs (2) and (3).

(b) CONFORMING AMENDMENTS.—Section 315(d)(1) of such Act (2 U.S.C. 441a(d)(1)) is amended—

(1) by striking ''(d)(1)'' and inserting ''(d)''; and

(2) by striking '', subject to the limitations contained in paragraphs (2) and (3) of this subsection''.

SEC. 104. INCREASE IN LIMIT ON CONTRIBUTIONS BY MULTICANDIDATE POLITICAL COMMITTEES TO NATIONAL POLITICAL PARTIES.

Section 315(a)(2)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(2)(B)) is amended by striking ''$15,000'' and inserting ''$20,000''.

TITLE II—INDEXING CONTRIBUTION LIMITS

SEC. 201. INDEXING CONTRIBUTION LIMITS.

Section 315(c) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(c)) is amended by adding at the end the following new paragraph:

''(3)(A) The amount of each limitation established under subsection (a) shall be adjusted as follows:

''(i) For calendar year 1999, each such amount shall be equal to the amount described in such subsection, increased (in a compounded manner) by the percentage increase in the price index (as defined in subsection (c)(2)) for each of the years 1997 through 1998.

''(ii) For calendar year 2003 and each fourth subsequent year, each such amount shall be equal to the amount for the fourth previous year (as adjusted under this subparagraph), increased (in a compounded manner) by the percentage increase in the price index for each of the four previous years.

''(B) In the case of any amount adjusted under this subparagraph which is not a multiple of $100, the amount shall be rounded to the nearest multiple of $100.''.

TITLE III—EXPANDING DISCLOSURE OF CAMPAIGN FINANCE INFORMATION

SEC. 301. DISCLOSURE OF CERTAIN COMMUNICATIONS.

(a) IN GENERAL.—Any person who expends an aggregate amount of funds during a calendar year in excess of $25,000 for communications described in subsection (b) relating to a single candidate for election for Federal office (or an aggregate amount of funds during a calendar year in excess of $100,000 for all such communications relating to all such candidates) shall file a report describing the amount expended for such communications, together with the person's address and phone number (or, if appropriate, the address and phone number of the person's principal officer).

(b) COMMUNICATIONS DESCRIBED.—A communication described in this subsection is any communication which is broadcast to the general public through radio or television and which mentions or includes (by name, representation, or likeness) any candidate for election for Senator or for Representative in (or Delegate or Resident Commissioner to) the Congress, other than any communication which would be described in clause (i), (iii), or (v) of section 301(9)(B) of the Federal Election Campaign Act of 1971 if the payment were an expenditure under such section.

(c) DEADLINE FOR FILING.—A person shall file a report required under subsection (a) not later than 7 days after the person first expends the applicable amount of funds described in such subsection, except that in the case of a person who first expends such an amount within 10 days of an election, the report shall be filed not later than 24 hours after the person first expends such amount. For purposes of the previous sentence, the term ''election'' shall have the meaning given such term in section 301(1) of the Federal Election Campaign Act of 1971.

(d) PLACE OF SUBMISSION.—Reports required under subsection (a) shall be submitted—

(1) to the Clerk of the House of Representatives, in the case of a communication involving a candidate for election for Representative in (or Delegate or Resident Commissioner to) the Congress; and

(2) to the Secretary of the Senate, in the case of a communication involving a candidate for election for Senator.

(e) PENALTIES.—Whoever knowingly fails to—

(1) remedy a defective filing within 60 days after notice of such a defect by the Secretary of the Senate or the Clerk of the House of Representatives; or

(2) comply with any other provision of this section,

shall, upon proof of such knowing violation by a preponderance of the evidence, be subject to a civil fine of not more than $50,000, depending on the extent and gravity of the violation.

SEC. 302. REQUIRING MONTHLY FILING OF REPORTS.

(a) PRINCIPAL CAMPAIGN COMMITTEES.—Section 304(a)(2)(A)(iii) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(2)(A)(iii)) is amended to read as follows:

''(iii) monthly reports, which shall be filed no later than the 20th day after the last day of the month and shall be complete as of the last day of the month, except that, in lieu of filing the reports otherwise due in November and December of the year, a pre-general election report shall be filed in accordance with clause (i), a post-general election report shall be filed in accordance with clause (ii), and a year end report shall be filed no later than January 31 of the following calendar year.''.

(b) OTHER POLITICAL COMMITTEES.—Section 304(a)(4) of such Act (2 U.S.C. 434(a)(4)) is amended to read as follows:

''(4)(A) In a calendar year in which a regularly scheduled general election is held, all political committees other than authorized committees of a candidate shall file—

''(i) monthly reports, which shall be filed no later than the 20th day after the last day of the month and shall be complete as of the last day of the month, except that, in lieu of filing the reports otherwise due in November and December of the year, a pre-general election report shall be filed in accordance with clause (ii), a post-general election report shall be filed in accordance with clause (iii), and a year end report shall be filed no later than January 31 of the following calendar year;

''(ii) a pre-election report, which shall be filed no later than the 12th day before (or posted by registered or certified mail no later than the 15th day before) any election in which the committee makes a contribution to or expenditure on behalf of a candidate in such election, and which shall be complete as of the 20th day before the election; and

''(iii) a post-general election report, which shall be filed no later than the 30th day after the general election and which shall be complete as of the 20th day after such general election.

''(B) In any other calendar year, all political committees other than authorized committees of a candidate shall file a report covering the period beginning January 1 and ending June 30, which shall be filed no later than July 31 and a report covering the period beginning July 1 and ending December 31, which shall be filed no later than January 31 of the following calendar year.''.

(c) CONFORMING AMENDMENTS.—(1) Section 304(a) of such Act (2 U.S.C. 434(a)) is amended by striking paragraph (8).

(2) Section 309(b) of such Act (2 U.S.C. 437g(b)) is amended by striking ''for the calendar quarter'' and inserting ''for the month''.

SEC. 303. MANDATORY ELECTRONIC FILING FOR CERTAIN REPORTS.

(a) IN GENERAL.—Section 304(a)(11)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(11)(A)) is amended by striking the period at the end and inserting the following: '', except that the Commission shall require the reports to be filed and preserved by such means, format, or method, unless the aggregate amount of contributions or expenditures (as the case may be) reported by the committee in all reports filed with respect to the election involved (taking into account the period covered by the report) is less than $50,000.''.

(b) PROVIDING STANDARDIZED SOFTWARE PACKAGE.—Section 304(a)(11) of such Act (2 U.S.C. 434(a)(11)) is amended—

(1) by redesignating subparagraph (C) as subparagraph (D); and

(2) by inserting after subparagraph (B) the following new subparagraph:

''(C) The Commission shall make available without charge a standardized package of software to enable persons filing reports by electronic means to meet the requirements of this paragraph.''.

SEC. 304. WAIVER OF "BEST EFFORTS" EXCEPTION FOR INFORMATION ON OCCUPATION OF INDIVIDUAL CONTRIBUTORS.

Section 302(i) of the Federal Election Campaign Act of 1971 (2 U.S.C. 432(i)) is amended—

(1) by striking ''(i) When the treasurer'' and inserting ''(i)(1) Except as provided in paragraph (2), when the treasurer''; and

(2) by adding at the end the following new paragraph:

''(2) Paragraph (1) shall not apply with respect to information regarding the occupation or the name of the employer of any individual who makes a contribution or contributions aggregating more than $200 during a calendar year (as required to be provided under subsection (c)(3)).''.

TITLE IV—EFFECTIVE DATE

SEC. 401. EFFECTIVE DATE.

This Act and the amendments made by this Act shall apply with respect to elections occurring after January 1999.

The CHAIRMAN pro tempore. The amendment is not further debatable.

The question is on the amendment in the nature of a substitute offered by the gentleman from Arkansas (Mr. HUTCHINSON).

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. HUTCHINSON. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 147, noes 222, answered ''present'' 61, not voting 4, as follows:

[Roll No 404]

AYES—147

Aderholt	Everett	Lewis (CA)
Allen	Ewing	Linder
Archer	Fawell	Livingston
Bachus	Fowler	Lucas
Baker	Gekas	McCollum
Ballenger	Gibbons	McCrery
Barton	Gillmor	McHugh
Bateman	Goode	McIntyre
Berry	Goodlatte	McKeon
Bilirakis	Goss	Mica
Bliley	Graham	Miller (FL)
Blumenauer	Granger	Moran (KS)
Blunt	Hall (TX)	Myrick
Bono	Hansen	Ney
Boswell	Hastert	Northup
Boyd	Hill	Nussle
Brady (TX)	Hilleary	Packard
Bryant	Hobson	Pappas
Buyer	Hoekstra	Pastor
Canady	Hooley	Paul
Chabot	Horn	Petri
Coburn	Hulshof	Pickering
Collins	Hunter	Pitts
Combest	Hutchinson	Pryce (OH)
Condit	Hyde	Riggs
Cook	Jenkins	Riley
Cooksey	John	Rohrabacher
Crapo	Johnson (WI)	Ros-Lehtinen
Davis (FL)	Jones	Ryun
Davis (VA)	Kennedy (RI)	Salmon
DeGette	Kind (WI)	Sanchez
Diaz-Balart	King (NY)	Saxton
Dickey	Kingston	Scarborough
Duncan	Klug	Schaefer, Dan
Ehlers	Kolbe	Scott
Emerson	LaHood	Sensenbrenner
English	Lampson	Shaw
Ensign	Largent	Shimkus
Shuster	Sununu	Watkins
Sisisky	Talent	Watt (NC)
Smith (MI)	Tauzin	Weldon (FL)
Smith (NJ)	Taylor (NC)	Weldon (PA)
Smith (OR)	Thomas	Weygand
Snowbarger	Thornberry	White
Snyder	Thune	Whitfield
Solomon	Tiahrt	Wicker
Spence	Turner	Wilson
Stabenow	Upton	Wolf
Stearns	Wamp	Young (AK)

NOES—222

Abercrombie	Ganske	Murtha
Ackerman	Gejdenson	Nadler
Andrews	Gilchrest	Neal
Armey	Gilman	Nethercutt
Baesler	Goodling	Neumann
Barr	Green	Norwood
Barrett (NE)	Greenwood	Oberstar
Barrett (WI)	Gutknecht	Obey
Bartlett	Hall (OH)	Ortiz
Bass	Hamilton	Owens
Becerra	Harman	Oxley
Bentsen	Hastings (FL)	Parker
Bereuter	Hastings (WA)	Pascrell
Berman	Hayworth	Paxon
Bilbray	Hefley	Payne
Bishop	Hefner	Pease
Boehlert	Herger	Pelosi
Boehner	Hilliard	Peterson (MN)
Bonilla	Hinchey	Peterson (PA)
Borski	Holden	Pickett
Boucher	Hostettler	Pombo
Brady (PA)	Houghton	Porter
Brown (FL)	Istook	Portman
Brown (OH)	Jackson (IL)	Poshard
Bunning	Jackson-Lee (TX)	Quinn
Burr	Jefferson	Radanovich
Burton	Johnson (CT)	Rahall
Callahan	Johnson, E. B.	Ramstad
Calvert	Johnson, Sam	Redmond
Camp	Kanjorski	Regula
Campbell	Kaptur	Roemer
Cannon	Kasich	Rogan
Cardin	Kelly	Rogers
Castle	Kennedy (MA)	Rothman
Chambliss	Kennelly	Roukema
Chenoweth	Kildee	Roybal-Allard
Christensen	Kim	Royce
Clay	Kleczka	Rush
Clement	Klink	Sanders
Clyburn	Knollenberg	Sanford
Coble	LaFalce	Schaffer, Bob
Costello	Lantos	Schumer
Cox	Latham	Serrano
Coyne	Lazio	Sessions
Cramer	Leach	Shadegg
Crane	Levin	Shays
Cubin	Lewis (KY)	Skeen
Cummings	Lipinski	Smith (TX)
Danner	LoBiondo	Smith, Adam
Davis (IL)	Lowey	Smith, Linda
Deal	Luther	Souder
DeLay	Maloney (NY)	Spratt
Dicks	Manton	Stark
Dingell	Manzullo	Stokes
Dixon	Markey	Strickland
Doggett	Martinez	Stump
Doolittle	Mascara	Stupak
Doyle	Matsui	Taylor (MS)
Dreier	McCarthy (MO)	Thompson
Dunn	McCarthy (NY)	Thurman
Edwards	McHale	Tierney
Ehrlich	McInnis	Towns
Eshoo	McIntosh	Traficant
Evans	McKinney	Vento
Farr	McNulty	Visclosky
Fattah	Meehan	Walsh
Fazio	Meek (FL)	Waters
Foley	Metcalf	Watts (OK)
Forbes	Miller (CA)	Weller
Fossella	Mink	Wise
Fox	Moakley	Woolsey
Frank (MA)	Mollohan	Yates
Franks (NJ)	Moran (VA)	Young (FL)
Frelinghuysen	Morella	
Gallegly		

ANSWERED ''PRESENT''—61

Baldacci	DeFazio	Frost
Barcia	Delahunt	Furse
Blagojevich	DeLauro	Gephardt
Bonior	Deutsch	Gordon
Brown (CA)	Dooley	Gutierrez
Capps	Engel	Hinojosa
Carson	Etheridge	Hoyer
Clayton	Filner	Kilpatrick
Conyers	Ford	Kucinich

LaTourette
Lee
Lewis (GA)
Lofgren
Maloney (CT)
McDermott
McGovern
Meeks (NY)
Menendez
Millender-McDonald
Minge
Olver
Pallone
Pomeroy
Price (NC)
Rangel
Reyes
Rivers
Rodriguez
Sabo
Sandlin
Sawyer
Sherman
Skaggs
Skelton
Slaughter
Stenholm
Tanner
Tauscher
Torres
Velazquez
Waxman
Wexler
Wynn

NOT VOTING—4

Cunningham
Gonzalez
Inglis
McDade

☐ 1440

Messrs. HEFLEY, STUMP, PAXON, CHRISTENSEN, and CALLAHAN changed their vote from ''aye'' to ''no.''

Messrs. EVERETT, PITTS, WELDON of Pennsylvania, SNOWBARGER, WATT of North Carolina, and GOODLATTE changed their vote from ''no'' to ''aye.''

Mr. FROST changed his vote from ''no'' to ''present.''

Mr. BLUMENAUER and Mr. WAMP changed their vote from ''present'' to ''aye.''

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore (Mr. EWING). Pursuant to House Resolution 442, the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS) is finally adopted and shall be reported to the House.

Under the rule, the Committee rises.

Accordingly the Committee rose, and the Speaker pro tempore (Mr. BARRETT of Nebraska) having assumed the chair, Mr. EWING, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2183) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes, pursuant to House Resolution 442, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment in the nature of a substitute.

The amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. SHAYS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 252, noes 179, not voting 3, as follows:

[Roll No. 405]

AYES—252

Ackerman
Allen
Andrews
Bachus
Baesler
Baldacci
Barcia
Barrett (NE)
Barrett (WI)
Bass
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Capps
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cook
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Duncan
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Foley
Forbes
Ford
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gordon
Graham
Green
Greenwood
Gutierrez
Hall (OH)
Hamilton
Harman
Hefner
Hill
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Horn
Houghton
Hoyer
Hulshof
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
Kleczka
Klink
Klug
Kucinich
LaFalce
Lampson
Lantos
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDade
McDermott
McGovern
McHale
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Millender-McDonald
Miller (CA)
Minge
Moakley
Moran (VA)
Morella
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Packard
Pallone
Parker
Pascrell
Pastor
Payne
Pelosi
Petri
Pickett
Pomeroy
Porter
Poshard
Price (NC)
Quinn
Ramstad
Rangel
Regula
Reyes
Riggs
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schumer
Serrano
Shays
Sherman
Shimkus
Sisisky
Skaggs
Skelton
Slaughter
Smith (MI)
Smith, Adam
Smith, Linda
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Tanner
Tauscher
Taylor (MS)
Thompson
Thune
Thurman
Tierney
Torres
Towns
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watt (NC)
Waxman
Weldon (PA)
Wexler
Weygand
White
Wise
Woolsey
Wynn
Yates

NOES—179

Abercrombie
Aderholt
Archer
Armey
Baker
Ballenger
Barr
Bartlett
Barton
Bateman
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cooksey
Cox
Crane
Crapo
Cubin
Davis (VA)
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fossella
Fowler
Gibbons
Goode
Goodlatte
Goodling
Goss
Granger
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Hostettler
Hunter
Hutchinson
Hyde
Istook
Jenkins
John
Johnson, Sam
Jones
Kasich
King (NY)
Kingston
Knollenberg
Kolbe
LaHood
Largent
Latham
Lewis (CA)
Lewis (KY)
Linder
Livingston
Lucas
Manzullo
Martinez
McCollum
McCrery
McInnis
McIntosh
McKeon
Mica
Miller (FL)
Mink
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Pappas
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Pombo
Portman
Pryce (OH)
Radanovich
Rahall
Redmond
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryun
Salmon
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shuster
Skeen
Smith (NJ)
Smith (OR)
Smith (TX)
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Stupak
Sununu
Talent
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Traficant
Watkins
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—3

Cunningham
Gonzalez
Inglis

☐ 1458

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SHAYS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2183, the bill just passed.

The SPEAKER pro tempore (Mr. EWING). Is there objection to the request of the gentleman from Connecticut?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 4380, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1999

Mrs. MYRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 517 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 517

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4380) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 1999, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 7 of rule XXI or section 306 or 401(a) of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 or 6 of rule XXI are waived except as follows: page 41, line 20, through page 42, line 2. Each of the amendments printed in the report of the Committee on Rules accompanying this resolution may be offered only by a Member designated in the report, may be offered only at the appropriate point in the reading of the bill, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendments printed in the report are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 1500

The SPEAKER pro tempore (Mr. LATOURETTE). The gentlewoman from North Carolina (Mrs. MYRICK) is recognized for 1 hour.

Mrs. MYRICK. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Ohio (Mr. HALL), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Yesterday the Committee on Rules met and granted an open rule for H.R. 4380, the Fiscal Year 1999 District of Columbia Appropriations Act.

The rule provides for 1 hour of general debate equally divided between the chairman and ranking minority member of the Committee on Appropriations.

The rule waives points of order against consideration of the bill for failure to comply with clause 7 of rule XXI, requiring relevant printed hearings and reports to be available for 3 days prior to the consideration of the general appropriations bill; section 306, prohibiting consideration of legislation within the jurisdiction Committee on the Budget, unless reported by the Committee on the Budget; and section 401a of the Congressional Budget Act, prohibiting consideration of legislation, as reported, providing new contract, borrowing or credit authority that is not limited to the amounts provided in appropriation acts.

The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI, prohibiting unauthorized or legislative provisions in a general appropriations bill; and clause 6 of rule XXI, prohibiting reappropriations in a general appropriations bill, except as specified by the rule.

The rule provides that amendments printed in the Committee on Rules report may be offered only by the Member designated in the report, may be offered only at the appropriate point in the reading of the bill, shall be considered as read, debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or the Committee of the Whole.

The rule waives all points of order against the amendments printed in the Committee on Rules report.

The rule accords priority in recognition to those amendments that are preprinted in the CONGRESSIONAL RECORD.

The rule allows the chairman of the Committee of the Whole to postpone recorded votes and to reduce to 5 minutes the voting time on any postponed question, provided voting time on the first in any series of questions is not less than 15 minutes.

Finally, the rule provides for one motion to recommit, with or without instructions.

By the way, Mr. Speaker, last night the GPO accidentally omitted the final page of the amendment of the gentleman from Texas (Mr. ARMEY) from the committee report, which was filed correctly. I believe that the mistake should have no effect on either the rule or the bill itself. I just thought I should, as a matter of courtesy, call it to the attention of the Members.

This rule was crafted to avoid controversy. It is an open rule. And instead of self-executing legislative provisions, the rule allows for an open debate on four important amendments.

Each of these four amendments is aimed at helping the youth of the District. They would grant scholarships to low-income students; forbid the publicly-funded distribution of drug needles; prohibit adoption by unmarried couples; and restrict the underage possession of tobacco.

Yes, these amendments also produce spirited debate on the House floor. And it is fair that we have these debates.

The Committee on Rules wisely avoided a rule that would self-execute controversial policy amendments.

Meanwhile, H.R. 4380 is a good bill. My colleague, the gentleman from North Carolina (Mr. TAYLOR) has crafted a D.C. Appropriations bill that avoids the legislative battles we have faced in the past. This year, both the Appropriations Subcommittee on the District of Columbia and the full Committee on Appropriations reported the bill by voice vote.

As we all know, in the mid-1990s the District of Columbia faced a serious financial crisis. Decades of waste and mismanagement had led to chronic budget deficits and a deterioration of city services.

Since that time, under direction of both the D.C. Control Board and Congress, the District of Columbia has turned itself around and now runs a budget surplus. H.R. 4380 reflects these changed circumstances. The annual Federal payment to the District is declining. This year it is $47 million less than last year.

At the same time, H.R. 4380 provides important support for D.C. school children. The bill provides $33 million for charter schools, which allows parents to decide where their children attend school, as well as $200,000 for a program to mentor at-risk youngsters. It provides $156 million for special education projects, which is nearly twice as much as last year.

I urge my colleagues to support this rule and to support the underlying legislation. Both the rule and H.R. 4380 are compromise measures that deserve our support.

Mr. Speaker, I reserve the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume.

I want to thank my colleague the gentlewoman from North Carolina (Mrs. MYRICK) for yielding me the time.

This rule is an open rule. It will allow consideration of H.R. 4380, which is a bill that makes appropriations for the District of Columbia.

As my colleague from North Carolina described, this rule provides for 1 hour

of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations.

The rule permits amendments that are in compliance with House rules to be offered under the 5-minute rule, which is the normal amending process in the House. All Members on both sides of the aisle will have the opportunity to offer amendments.

Unfortunately, the Committee on Rules made in order four controversial amendments that would otherwise be out of order.

One of these amendments would ban adoptions by unmarried couples. This amendment was considered and rejected by the Committee on Appropriations.

The second allows vouchers for private schools, which is a concept which was rejected by the citizens of Washington in a referendum.

The third would outlaw possession of tobacco products by minors. This amendment denies District residences the opportunity to write their own tobacco laws through their own elected representatives.

The last amendment would cut off government funding from this bill, for any purpose, to any individual or organization that carries out a needle exchange program for drug addicts. This amendment was also considered and rejected by the Committee on Appropriations.

The bill that was reported out of the Committee on Appropriations was adopted by voice vote, with support on both sides of the aisle. It is far from a perfect bill. There is way too much interference in District affairs. Still, it is an acceptable compromise and a lot better than last year's bill.

The four amendments made in order by this rule are very controversial and could sink the bill. Though I am not unsympathetic to the goals of some of the amendments, this is the wrong time and place to deal with these matters.

The President has threatened to veto if some of these amendments are accepted. Why bother going through the bruising battle of attaching these amendments only to have them stripped out later in the process?

This should not become a replay of what happened last year when controversial provisions insisted by the House were later removed. This is kind of a good-news/bad-news rule. The good news is that the rule could have been a lot worse. The bad news is that that is all the good news there is about this rule.

Mr. Speaker, I reserve the balance of my time.

Mrs. MYRICK. Mr. Speaker, I yield such time as he may consume to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Speaker, I thank the gentlewoman from North Carolina (Mrs. MYRICK) for yielding.

I rise today, Mr. Speaker, in support of the rule for the District of Columbia Appropriations bill, and I want to encourage my colleagues to vote for the rule. It is an open rule.

Even though some concern has been stated that this rule would include certain self-enacting provisions related to school vouchers, D.C. needle exchange programs, and joint adoptions, none of these provisions are self-enacting, in the rule. Instead, they are amendments which should be openly debated.

The debate will follow with votes, and I see no reason to vote against this rule because of any self-enacting provisions that are not there. I think that the rule is fair and certainly has protected both sides of these issues.

Now, during the course of our debate, we will hear objections that Congress should not meddle in certain home rule issues. I would just say first that Congress has a constitutional obligation to be involved in the public and financial measures of the District of Columbia.

Time and time again, Congress has decided to set public policy and control financial matters in the District. In fact, in this bill it was the will of the House that there be no residency requirement for District employees.

Now, this happens to override a local government decision. The decision was far from unanimous, and certainly there was dissent. But, nonetheless, it was the will of the committee and, therefore, the House. And once again, it will be confirmed in the House that we will set public policy for the District of Columbia.

Probably the best analogy in government to explain this relationship between Congress and the District of Columbia is the relationship we see with the State government and that of the cities within that State. In my home State of Kansas, it is not uncommon for the State legislature to set public policy for Wichita. In fact, it is common for the legislature to determine tax structures, finances, and other issues, including the setting of public policy.

Likewise, it is not uncommon for Congress to set public policy for the District of Columbia. So when we openly debate the value of a school voucher program, when we openly debate how the poorest of children will be benefitted by such a voucher program in the District; when we openly debate the failures of a needle exchange program, not only in the District of Columbia but around the globe; and when we advocate for the protection of adopted children, we do so with constitutional authority, with a relationship similar to the relationship between State legislatures and cities within that State, and we do so with the idea of establishing good public policy for the District.

This is an open rule that allows for open debate. It has not embodied any controversial issues through a self-enacting clause. And, therefore, I support the rule and I ask my colleagues to vote in favor of this rule.

☐ 1515

Mr. HALL of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, this is not an outrageous rule as some have been, but I would rise in opposition to this rule. I can understand that the Committee on Rules, the majority in the Committee on Rules felt that it was doing the right thing in making an open rule, and we certainly appreciate the fact that some of these amendments will not self-execute, but we would have to oppose the fact that the amendments that really constitute poison pills to this appropriations act are protected in it from points of order. These amendments are divisive, they will invariably cause a veto, and we would suggest, as we will in the general debate, that they are not in the best interests of the District of Columbia nor are they appropriate for this Congress to be dealing with in terms of the local funds that ought to be at the discretion of the District of Columbia government.

The gentleman from Kansas (Mr. TIAHRT) just talked about his amendment dealing with needle exchanges. It is a controversial issue. It is one that the authorizing committee should deal with. But what is most objectional about this amendment is that it goes beyond the use of Federal funds. This amendment would say that the District of Columbia cannot even use its own local funds, not Federal funds, its own local funds nor can they use private funds that are contributed to the needle exchange program that the Whitman Walker Clinic operates under contract to the District of Columbia.

Why do they operate this program? Looking at the statistics, they are shocking. In fact, the majority of new growth in HIV infections is women, and those women apparently are primarily infected by dirty needles, and, in fact, one statistic that we brought up in the full committee is that 97 percent of the new HIV infections among African-Americans are occurring because of dirty needles. That is why the Whitman Walker Clinic contracts with the District of Columbia for the use of its own funds and private funds for this, and we think they should have that option if that is what they choose to do with those funds.

We have another amendment that will be offered by the gentleman from Oklahoma (Mr. LARGENT) dealing with adoptions. It says that couples cannot adopt unless they are in a traditional marriage situation. But by implication it says it is perfectly okay for people who cannot engage in a long-term commitment, whether it be a heterosexual or a homosexual commitment, single people are fully capable of adopting if they want, but not couples, even men and women who have lived together in a monogamous relationship for many years.

Then we have another amendment that makes it a crime for a minor to be

in possession of tobacco. I do not know that we would fight that amendment, but it is strange that this bill had the ability to enable the District of Columbia to file suit against the tobacco companies with the other State attorneys general and yet this bill does not allow them to do that. That would have enabled D.C. to recover millions of dollars of Medicaid funds attributable to the loss of life due to tobacco products.

We have an education voucher bill that has been protected. It is very controversial. I will not address the merits of it. I do think there is some merit to it. But the fact is if it were to be added to this bill, it kills this bill. This bill will be vetoed. Period. And so why do it if we know that it would kill the bill?

We have another provision in this bill that the gentlewoman from the District of Columbia (Ms. NORTON) will raise and we think that amendment is in order. After all, the gentlewoman is the one true representative of the District of Columbia and she will suggest that funds should be able to be used if these are local funds, not Federal funds, for women who choose to exercise their constitutional rights to terminate a pregnancy.

We have a number of controversial issues here, more than we need to have. The Committee on Rules could have enabled us just to talk about amendments that were only appropriate to an appropriations bill. It chose not to do that. For that reason, we would urge a ''no'' vote on the rule.

Mr. HALL of Ohio. Mr. Speaker, I yield 5 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Mrs. MYRICK. Mr. Speaker, as I said before, we feel this is a very fair and open rule and none of the amendments are self-enacting. I urge my colleagues to support the rule.

Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. DAVIS).

Mr. DAVIS of Virginia. Mr. Speaker, I thank my friend for yielding time. I have very mixed feelings about a rule like this. This is always one of the more difficult appropriation bills to come before the House. I would just add a few things to what has been said. If we take a look at what has happened over the last four years in the District of Columbia, it has been a great success story. We took a city four years ago that had no bond rating, could not sell their bonds on the marketplace, they were running hundreds of millions of dollars in debt, they had no way to try to control their expenditures, they had a rising crime rate, schools that had not opened on time in several years and we take a look at where they are today, they are running surpluses in the hundreds of millions of dollars, not just last year but this year and into the future. So they are financially stable. They are out in the bond markets once again.

In enacting the D.C. Control Board bill, I think it was our vision that we would try to get a discussion between the Control Board, the Mayor and the Council to learn financial restraint, to learn to control expenditures and to come forward after discussions to Congress with a united budget. I am happy to say that with a few exceptions but for the most part this appropriation bill does that. This rule allows some extraneous things to enter into it but it allows the House a free vote on it, so I have very mixed feelings about the rule.

I sympathize with my friends in the Committee on Rules who get torn from different constituency groups within the Congress in terms of how they are going to deal with it, but I look forward to a wide open debate on a number of issues and would just say to my friends, I think we can take pride in what we have accomplished in working with the city, with the Control Board, with the Council together over the last four years in hopes that whatever the outcome of this debate today, we can continue to look forward and work together in the years to come to make this the greatest city in the country.

Mr. HALL of Ohio. Mr. Speaker, I yield 7 minutes to the gentleman from California (Mr. DIXON).

(Mr. DIXON asked and was given permission to revise and extend his remarks.)

Mr. DIXON. I thank the gentleman for yielding time.

Mr. Speaker, I rise to oppose this rule, too. But before I do, I would like to associate myself with the remarks from the gentleman from Virginia, for I feel that Dr. Brimmer, Steve Harlan, Dr. Joyce Ladner, Constance Newman and Edward Singletary have done an excellent job. They have not pleased all of us all the time. But their charge was to straighten out the finances of the District of Columbia, and I think they can hold their heads high that they have done that. We have had two years of a balanced budget. In the next two years I hope that they will continue that. These gentlemen and these ladies were uncompensated for this activity. Although there may be some isolated incident where we were not satisfied with their performance, they have done their job well and they should be proud of that and they have given an outstanding service to the District of Columbia.

From my point of view, Mr. Speaker, this is a bad bill with a bad rule. It waives points of order on legislation that should not be waived. But I think it is a sad day when the Committee on Rules and the gentlewoman from North Carolina comes to us and says, ''Well, it could have been worse. We could have self-executed these amendments so when you adopted the rule you adopted these amendments.''

These amendments were defeated in the committee of jurisdiction. And so I do not think it is any big favor to come and say the amendments that were defeated on a bipartisan basis in the full Committee on Appropriations, we did not put those in the Committee on Rules in the bill.

But let me talk about some of these amendments. The needle exchange program. Needle exchange is quite controversial. I think many of us feel that in the appropriate community they work and in other communities they do not work. But the point here that this amendment that will be offered will not only prohibit Federal money, that is fair, we are the Congress, as a national policy we say no Federal money, it will prohibit, as has been pointed out, the money of the District of Columbia, and any organization that receives money from the District of Columbia. We are going to get into a discussion about the merits of the needle program, and I want to just say to Members that most of the merits, after careful review, are on the sides of having those programs, and so there are going to be some statistics cited here and we are going to cite some statistics and the authors of the studies which the proponents of this amendment will quote.

The second amendment deals with, let us face it, homosexual adoptions. It seems to me that we should not be interfering with the courts of the District of Columbia when they have decided in the appropriate cases that a gay couple or a lesbian couple can adopt. The court has not said that each one of these couples can automatically adopt. They say they have to look at the circumstances.

□ 1530

This amendment is ridiculous. It says the only way to have a joint adoption is if they are married or if they are blood related to the person with a joint adoption. That means that two nuns could not adopt anyone. That means that myself or the gentlewoman from the District of Columbia (Ms. NORTON), if we wanted to share the custody of some young person and we were otherwise qualified, we could not do it because we are not married nor blood related. And this is not the appropriate forum to discuss what happens with adoptions in the District of Columbia.

Then we have the novel idea that we are fighting the use of tobacco by saying there will be a civil penalty if, in fact, a person under the age of 18 is caught with a package of cigarettes. I guess probable cause to search him is the fact that he may be holding one. And it goes further to suggest that kids in the District would have $50 to pay for the first time they are caught, $100 to pay for the second time they are caught, and it assumes the fact that they have a driver's license and probably a Rolls Royce because their license would be suspended on the third time.

Get real. This is not going to do anything to curb young teenagers from smoking, but rather a person should be referred to the juvenile court, and they should do what is in their best interests.

Then we have fought and fought over the vouchers program time and time again, and we will have that fight again. I suspect that it is not as important to get a voucher program here in the District but, to those who support it, to send a signal to their constituents that they are still with them on this issue.

Finally, Mr. Speaker, I have never voted in the 18 years I have been here against the District bill. I believe most times that the process should move forward and these things should be worked out in the conference. But this was a bad bill coming out of committee, and we will talk about that. The rule makes it worse. And the adoption of any of these amendments makes it hideous.

Mr. Speaker, I ask my colleagues to vote ''no'' on the rule.

Mrs. MYRICK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would just remind my colleague that this is a fair rule, and the gentlewoman from the District of Columbia (Ms. NORTON) does have additional amendments printed in the CONGRESSIONAL RECORD that will be debated, and there may be others as well that we do not know about, and I would like to remind my colleagues that we will have very fair and open debate on this rule. So I would urge again that they support the rule.

Mr. Speaker, I reserve the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I yield two minutes to the gentleman from Ohio (Mr. TRAFICANT).

(Mr. TRAFICANT asked and was given permission to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, I will be offering an amendment to this bill relative to the development of a private for-profit prison that exists, a contract between the District of Columbia and the City of Youngstown, in which six prisoners had recently escaped, four of them being murderers, and one murderer still on the street. The amendment would basically prohibit the use of funds in this bill to be used for transferring or confining inmates in the Youngstown facility that are above a medium security level risk. That is what the contract calls for.

There is some concern that people have about home rule. I am worried about home disruption here. My community is at risk. It is not draconian language, and I am hoping that the language in which it is crafted will be allowed to be brought to this floor for a vote.

The only other option that I have would be a pure limitation of restricting any and all funds in this bill to be used to transfer or confine prisoners in Youngstown. Then we would have one big fight, and if it passed, the District could only use other non-Federal revenue for this, and I do not want to hurt the city.

My community is in danger. There needs to be some element of understanding here, and there has to be a pretty good understanding of Congress, with the proliferation of all these new private for-profit prisons, that they should have adequate training and meet at least minimum standards that reflect the Bureau of Prisons' ability to both inspect them and to ensure the respective communities that they shall be safe.

So I do not want to close that prison, and I do not want to hurt the District. I just want to make sure that we ensure we are not going to be allowing prisoners such as murderers to escape. If they are to be medium security risks, let us make sure they are.

Mrs. MYRICK. Mr. Speaker, I reserve the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Mr. Speaker, I thank the gentleman from Ohio for yielding this time to me.

I rise in opposition to this rule as the neighbor of the District of Columbia. I represent the 4th District of Maryland. We are indeed neighbors, and I believe good neighbors, and we realize that this is an atrocious rule. It continues a pattern of interference in the management of the District of Columbia that is reminiscent of colonial days. It continues a pattern of unwarranted interference, it continues a pattern of experimentation, if my colleagues will, into the affairs of the District of Columbia that is only being exercised not because it is right, but because those folks on the other side can do it arbitrarily and capriciously.

Specifically I turn to the prohibition against the needle exchange program. We need to understand one reality. We are losing the War on Drugs. Some folks would even go as far as to say it is a joke. But let me just say this:

We need to allow the District of Columbia to try innovative approaches. If the citizens of the District of Columbia believe that a needle exchange will reduce AIDS, they ought to be able to try that, and Congress ought not interfere. If they believe that clean needles in exchange for dirty needles will reduce the spread of a deadly disease, they ought to be able to try that, and I have yet to hear the rationale for denying the citizens of the District of Columbia the opportunity to do that.

Second, once again the Republicans have trotted out their old voucher plan, and they claim this is the solution to education problems in our country. They are experimenting on the District of Columbia. They want to take money out of public schools and send it to private schools. They want to allow 2,000 students to go to private schools while 75,000 students languish in sub-par public schools.

Yes, there are problems in the District of Columbia. There are infrastructure problems, there is a need for technological upgrades, and we ought to help the District of Columbia do that. But instead they want to implement a program that will basically benefit a few students, leaving the majority behind.

What my colleagues have to realize about the voucher plan is private schools do not have to accept all students. They do not have to accept handicapped students, they do not have to accept unruly students, they do not have to accept students that bring baggage, social baggage, to school. Those students still have to be educated, and the District of Columbia will not be in as good a position to educate them because the Republicans want to conduct some sort of experiment.

We need a serious approach to education. What we need to do for the District of Columbia and all schools in this country is provide more Federal assistance for the repair and maintenance of schools, for the technological upgrading of school systems to enable them to have access to the Internet. We need to pay teachers more money, we need to hire more teachers, we need to train teachers better so they can deal with our young people. We need to provide sophisticated curricula that can deal with the new global economy.

There is a lot we can and should do for schools across this country. But certainly this so-called model of a voucher system is not the answer because it does not provide real assistance to the folks who need it.

I strongly urge the rejection of this rule.

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have no more speakers, and I would just simply say before I yield back the balance of my time, as I understand, the District of Columbia appropriation bill as it came out of that committee was in decent shape. It had very good bipartisan support. And last night in the Committee on Rules we made in order four very restrictive amendments and, in some cases, very controversial.

Many of us on the Rules Committee, at least on the Democratic side, feel that this will probably draw a veto from the President of the United States, and there is really no sense in it because this bill has a chance to pass by itself, on its own, probably for the first time in a long time. Mr. Speaker, I would urge a ''no'' vote on the rule.

Mr. Speaker, I yield back the balance of my time.

Mrs. MYRICK. Mr. Speaker, I urge my colleagues to vote for the rule.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. LATOURETTE). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MORAN of Virginia. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make

the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 220, nays 204, not voting 11, as follows:

[Roll No. 406]

YEAS—220

Aderholt	Gibbons	Paxon
Archer	Gilchrest	Pease
Armey	Gillmor	Peterson (PA)
Bachus	Gilman	Petri
Baker	Gingrich	Pickering
Ballenger	Goodlatte	Pitts
Barr	Goodling	Pombo
Barrett (NE)	Goss	Porter
Bartlett	Graham	Portman
Barton	Granger	Pryce (OH)
Bass	Greenwood	Quinn
Bateman	Gutknecht	Radanovich
Bereuter	Hansen	Ramstad
Bilbray	Hastert	Redmond
Bilirakis	Hastings (WA)	Regula
Bliley	Hayworth	Riggs
Blunt	Hefley	Riley
Boehlert	Herger	Rogan
Boehner	Hill	Rogers
Bonilla	Hilleary	Rohrabacher
Bono	Hobson	Ros-Lehtinen
Brady (TX)	Hoekstra	Roukema
Bryant	Horn	Ryun
Bunning	Hostettler	Salmon
Burr	Hulshof	Sanford
Burton	Hutchinson	Saxton
Buyer	Hyde	Scarborough
Callahan	Istook	Schaefer, Dan
Calvert	Jenkins	Schaffer, Bob
Camp	Johnson, Sam	Sensenbrenner
Campbell	Jones	Sessions
Canady	Kasich	Shadegg
Cannon	Kelly	Shaw
Castle	Kim	Shays
Chabot	King (NY)	Shimkus
Chambliss	Kingston	Shuster
Chenoweth	Klug	Skeen
Christensen	Knollenberg	Smith (MI)
Coble	Kolbe	Smith (NJ)
Coburn	LaHood	Smith (OR)
Collins	Largent	Smith (TX)
Combest	Latham	Smith, Linda
Cook	LaTourette	Snowbarger
Cooksey	Lazio	Solomon
Cox	Leach	Souder
Crane	Lewis (CA)	Spence
Cubin	Lewis (KY)	Stump
Davis (VA)	Linder	Sununu
Deal	Livingston	Talent
DeLay	LoBiondo	Tauzin
Diaz-Balart	Lucas	Taylor (MS)
Dickey	Manzullo	Taylor (NC)
Doolittle	McCollum	Thomas
Dreier	McCrery	Thornberry
Duncan	McDade	Thune
Dunn	McHugh	Tiahrt
Ehlers	McInnis	Traficant
Ehrlich	McIntosh	Upton
Emerson	McKeon	Walsh
English	Metcalf	Wamp
Ensign	Mica	Watkins
Everett	Miller (FL)	Watts (OK)
Ewing	Moran (KS)	Weldon (FL)
Fawell	Myrick	Weldon (PA)
Foley	Nethercutt	Weller
Forbes	Neumann	White
Fossella	Ney	Whitfield
Fowler	Northup	Wicker
Fox	Norwood	Wilson
Franks (NJ)	Nussle	Wolf
Frelinghuysen	Oxley	Young (AK)
Gallegly	Pappas	Young (FL)
Ganske	Parker	
Gekas	Paul	

NAYS—204

Abercrombie	Becerra	Borski
Ackerman	Bentsen	Boswell
Allen	Berman	Boucher
Andrews	Berry	Boyd
Baesler	Bishop	Brady (PA)
Baldacci	Blagojevich	Brown (CA)
Barcia	Blumenauer	Brown (FL)
Barrett (WI)	Bonior	Brown (OH)
Capps	John	Pascrell
Cardin	Johnson (CT)	Pastor
Carson	Johnson (WI)	Payne
Clayton	Johnson, E. B.	Pelosi
Clement	Kanjorski	Peterson (MN)
Clyburn	Kaptur	Pickett
Condit	Kennedy (MA)	Pomeroy
Conyers	Kennedy (RI)	Poshard
Costello	Kennelly	Price (NC)
Coyne	Kildee	Rahall
Cramer	Kilpatrick	Rangel
Cummings	Kind (WI)	Reyes
Danner	Kleczka	Rivers
Davis (FL)	Klink	Rodriguez
Davis (IL)	Kucinich	Roemer
DeFazio	LaFalce	Rothman
DeGette	Lampson	Roybal-Allard
Delahunt	Lantos	Rush
DeLauro	Lee	Sabo
Deutsch	Levin	Sanchez
Dicks	Lewis (GA)	Sanders
Dixon	Lipinski	Sandlin
Doggett	Lofgren	Sawyer
Dooley	Lowey	Schumer
Doyle	Luther	Scott
Edwards	Maloney (CT)	Serrano
Engel	Maloney (NY)	Sherman
Eshoo	Markey	Sisisky
Etheridge	Martinez	Skaggs
Evans	Mascara	Skelton
Farr	Matsui	Slaughter
Fattah	McCarthy (MO)	Smith, Adam
Fazio	McCarthy (NY)	Snyder
Filner	McDermott	Spratt
Ford	McGovern	Stabenow
Frank (MA)	McHale	Stark
Frost	McIntyre	Stenholm
Furse	McKinney	Stokes
Gejdenson	McNulty	Strickland
Gephardt	Meehan	Stupak
Goode	Meek (FL)	Tanner
Gordon	Meeks (NY)	Tauscher
Green	Menendez	Thompson
Gutierrez	Millender-McDonald	Thurman
Hall (OH)	Miller (CA)	Tierney
Hall (TX)	Minge	Torres
Hamilton	Mink	Towns
Harman	Moakley	Turner
Hastings (FL)	Mollohan	Velazquez
Hefner	Moran (VA)	Vento
Hilliard	Morella	Visclosky
Hinchey	Murtha	Waters
Hinojosa	Nadler	Watt (NC)
Holden	Neal	Waxman
Hooley	Oberstar	Wexler
Houghton	Obey	Weygand
Hoyer	Olver	Wise
Jackson (IL)	Ortiz	Woolsey
Jackson-Lee (TX)	Owens	Wynn
Jefferson	Pallone	Yates

NOT VOTING—11

Clay	Gonzalez	Packard
Crapo	Hunter	Royce
Cunningham	Inglis	Stearns
Dingell	Manton	

☐ 1602

Ms. DEGETTE changed her vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. EMERSON. Mr. Speaker, earlier on I made a mistake on rollcall vote No. 384, and inadvertently voted ''no'' when I meant to vote ''aye''.

GENERAL LEAVE

Mr. TAYLOR of North Carolina. Mr. Speaker, I ask consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4380, and that I may include tabular and extraneous material.

The SPEAKER pro tempore (Mr. LATOURETTE). Is there objection to the request of the gentleman from North Carolina?

There was no objection.

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1999

The SPEAKER pro tempore. Pursuant to House Resolution 517 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4380.

☐ 1604

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4380) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 1999, and for other purposes, with Mr. CAMP in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from North Carolina (Mr. TAYLOR) and the gentleman from Virginia (Mr. MORAN) each will control 30 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. TAYLOR).

Mr. TAYLOR. Mr. Chairman, we are here to present the fiscal 1999 budget for the District of Columbia. Make no mistake, this committee and this Congress takes seriously Article 1, Section 8 of the Constitution, and I quote, ''. . . to exercise exclusive legislation in all cases whatsoever over the seat of government of the United States.''

We appreciate the work of the city in recommending a spending plan for the National Capital. I would also like to thank the gentleman from Louisiana (Chairman LIVINGSTON) for his support and guidance, and all the Members of the subcommittee who have worked on this bill and, of course, the subcommittee staff.

Mr. Chairman, last year the House passed a D.C. bill which created a debt relief fund, and if that fund had been in place today, the District would be in much better financial shape.

Mr. Chairman, we are recommending that we create a fund today. We are recommending the fund would have $250 million to replace the need for the District's seasonal borrowing, and then it would pay $43 million that the District owes the Water and Sewer Authority. Finally, it would retire any part of the $3.7 billion bonded debt that the surplus might be available for.

There is no new authorization language in this bill. We have been besieged with requests for authorizing language from a variety of sources, frequently by some of the most ardent and vocal supporters of the ''home rule

rights'' and ''regular order'' in the congressional authorizing process. Out of respect for both home rule and the rules of the House, our bill contains no new authorizing language.

This bill does contain a number of provisions which alternatively direct or limit the expenditure of public funds. These provisions are to ensure that the District Government and the Control Board clearly understand and comply with the intent of Congress in the expenditure of funds.

Last year, Congress made it illegal for District employees who are not city residents to take home city cars. We found that this law was routinely broken by city employees when a Deputy Police Chief driving a city-owned vehicle got into an accident near his Maryland home and filed a disability claim with the District. When the leadership of the city's law enforcement establishment routinely flouts the law, we have a serious problem.

Just last month the District auditor again reported on repeated and widespread financial mismanagement. Because of that, we are concerned about the Control Board's apparent disregard for a limitation on staff compensation. The bill requires repayment of salary overpayments to the Board's executive director and the Board's council which were found to be illegal by the General Accounting Office.

This bill also requires the Board to make more complete monthly financial reports. To ensure accuracy and independence of the annual audit, the bill requires that the D.C. Inspector General contract for the annual city audit, instead of the Control Board.

The bill directs the payment of invoices owed to the Boy Scouts by the D.C. public schools. The bill makes only modest changes in the $5.2 billion budget recommended by Congress. We provide $22 million in Federal funding to fully fund the 4,000 charter school students, as required by the per pupil formula adopted by the District Council and the Control Board.

Our bill fully funds the Federal activities requested by the President. The District courts, the Corrections Trustee, and the Offender Trustee are fully funded with Federal dollars at the levels requested by the administration.

The bill also adds some $4 million to the Offender Trustee for the creation of a detention center to assist in the monitoring of drug offenders, at the request of the gentleman from Virginia (Mr. MORAN).

Additional Federal funds are provided for: $25 million for the engineering and design for the Mount Vernon Square Metro stop; $4 million, to be matched by $3 million in private funds, for the expansion of Boys Town in the District; $2 million, to be matched by private funds, for the establishment of a city museum by the D.C. Historical Society at the Carnegie library; $8.5 million to the U.S. Park Police for the purchase of a replacement helicopter for District-related law enforcement activities, and we certainly want to commend the Park Police for their part in the emergency that the House has recently had.

There is $3.3 million for a pay raise, to bring fire fighters to parity with the police; $3 million for rehabilitation of the Washington Marina; $250,000 for the Peoples' House Hotline and monitoring program; $1.2 million to the Metropolitan Police Department to fund the Civilian Review Board, at the request of the chief; $7 million for the environmental study at the Lorton Prison site; and $21 million to the District's infrastructure fund.

For the RECORD, Mr. Chairman, I include the following document:

DISTRICT OF COLUMBIA APPROPRIATIONS BILL, 1999 (H.R. 4380)

	FY 1998 Enacted	FY 1999 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
FEDERAL FUNDS					
Federal payment for management reform	8,000,000			-8,000,000	
Federal contribution to the operations of the Nation's Capital	190,000,000			-190,000,000	
D.C. National Capital Revitalization Corporation		50,000,000			-50,000,000
Federal support for economic development		25,000,000			-25,000,000
Management Reforms to Improve the District of Columbia's Economic Development Infrastructure		25,000,000			-25,000,000
Metrorail improvements and expansion			25,000,000	+25,000,000	+25,000,000
Nation's Capital Infrastructure Fund 1/		(254,000,000)	21,000,000	+21,000,000	+21,000,000
Environmental Study and Related Activities at Lorton Correctional Complex			7,000,000	+7,000,000	+7,000,000
Offender Supervision, Defender, and Court Services Agency			4,000,000	+4,000,000	+4,000,000
Federal payment to the District of Columbia corrections trustee operations	169,000,000	184,800,000	184,800,000	+15,800,000	
Corrections Trustee for Correctional Facilities, construction and repair 2/	(302,000,000)			(-302,000,000)	
Federal payment to the District of Columbia Criminal Justice System	108,000,000			-108,000,000	
Federal payment to the District of Columbia Courts		142,000,000	142,000,000	+142,000,000	
District of Columbus Offender Supervision, Defender, and Court Services Agency	43,000,000	59,400,000	59,400,000	+16,400,000	
U.S. Park Police (Sec. 141)	12,000,000			-12,000,000	
Medicare Coordinated Care Demonstration Project (Sec. 160)	3,000,000			-3,000,000	
Federal payment for Metropolitan Police Department			1,200,000	+1,200,000	+1,200,000
Federal payment for Fire Department			3,240,000	+3,240,000	+3,240,000
Federal payment for Boys Town U.S.A			4,000,000	+4,000,000	+4,000,000
Federal payment to Historical Society for City Museum			2,000,000	+2,000,000	+2,000,000
United States Park Police			8,500,000	+8,500,000	+8,500,000
Federal payment for waterfront improvements			3,000,000	+3,000,000	+3,000,000
Federal payment for mentoring services			200,000	+200,000	+200,000
Federal payment for hotline services			50,000	+50,000	+50,000
Federal payment for public education			20,391,000	+20,391,000	+20,391,000
Total, Federal funds to the District of Columbia	533,000,000	486,200,000	485,781,000	-47,219,000	-419,000
DISTRICT OF COLUMBIA FUNDS					
Operating Expenses					
Governmental direction and support	(105,177,000)	(164,717,000)	(164,144,000)	(+58,967,000)	(-573,000)
Economic development and regulation	(120,072,000)	(156,039,000)	(159,039,000)	(+38,967,000)	(+3,000,000)
Public safety and justice	(529,739,000)	(751,346,000)	(755,786,000)	(+226,047,000)	(+4,440,000)
Public education system	(672,444,000)	(773,334,000)	(793,725,000)	(+121,281,000)	(+20,391,000)
Human support services	(1,718,939,000)	(1,514,751,000)	(1,514,751,000)	(-204,188,000)	
Public works	(241,934,000)	(266,912,000)	(266,912,000)	(+24,978,000)	
Washington Convention Center Transfer Payment	(5,400,000)	(5,400,000)	(5,400,000)		
Repayment of Loans and Interest	(384,430,000)	(382,170,000)	(382,170,000)	(-2,260,000)	
Repayment of General Fund Recovery Debt	(39,020,000)	(38,453,000)	(38,453,000)	(-567,000)	
Payment of Interest on Short-Term Borrowing	(12,000,000)	(11,000,000)	(11,000,000)	(-1,000,000)	
Certificates of Participation	(7,923,000)	(7,926,000)	(7,926,000)	(+3,000)	
Human Resources Development	(6,000,000)	(6,674,000)	(6,674,000)	(+674,000)	
Productivity Savings		(-10,000,000)	(-10,000,000)	(-10,000,000)	
Receivership Programs		(318,979,000)	(318,979,000)	(+318,979,000)	
Deficit reduction and revitalization	(201,090,000)			(-201,090,000)	
District of Columbia Financial Responsibility and Management Assistance Authority	(3,220,000)	(7,840,000)	(7,840,000)	(+4,620,000)	
Total, operating expenses, general fund	(4,047,388,000)	(4,395,541,000)	(4,422,799,000)	(+375,411,000)	(+27,258,000)
Enterprise Funds					
Water and Sewer Authority and the Washington Aqueduct	(297,310,000)	(273,314,000)	(273,314,000)	(-23,996,000)	
Lottery and Charitable Games Control Board	(213,500,000)	(225,200,000)	(225,200,000)	(+11,700,000)	
Cable Television Enterprise Fund	(2,467,000)	(2,108,000)	(2,108,000)	(-359,000)	
Public Service Commission	(4,547,000)	(5,026,000)	(5,026,000)	(+479,000)	
Office of People's Counsel	(2,428,000)	(2,501,000)	(2,501,000)	(+73,000)	
Department of Insurance and Securities Regulation	(5,683,000)	(7,001,000)	(7,001,000)	(+1,318,000)	
Office of Banking and Financial Institutions	(600,000)	(640,000)	(640,000)	(+40,000)	
Starplex Fund	(5,936,000)	(8,751,000)	(8,751,000)	(+2,815,000)	
D.C. General Hospital (Public Benefit Corporation)	(52,684,000)	(66,764,000)	(66,764,000)	(+14,080,000)	
D.C. Retirement Board	(16,762,000)	(18,202,000)	(18,202,000)	(+1,440,000)	
Correctional Industries Fund	(3,332,000)	(3,332,000)	(3,332,000)		
Washington Convention Center Enterprise Fund	(41,000,000)	(48,139,000)	(48,139,000)	(+7,139,000)	
Total, Enterprise Funds	(646,249,000)	(660,978,000)	(660,978,000)	(+14,729,000)	
Total, operating expenses	(4,693,637,000)	(5,056,519,000)	(5,083,777,000)	(+390,140,000)	(+27,258,000)
Capital Outlay					
General fund	(269,330,000)	(1,711,160,737)	(1,711,160,737)	(+1,441,830,737)	
Total, District of Columbia funds	(4,962,967,000)	(6,767,679,737)	(6,794,937,737)	(+1,831,970,737)	(+27,258,000)
Total:					
Federal Funds to the District of Columbia	533,000,000	486,200,000	485,781,000	-47,219,000	-419,000
District of Columbia funds	(4,962,967,000)	(6,767,679,737)	(6,794,937,737)	(+1,831,970,737)	(+27,258,000)

1/ Requested by District, but not in President's budget
2/ FY 1999 request included in Commerce Justice Bill.

Mr. Chairman, I urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. MORAN of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank the gentleman from North Carolina (Mr. TAYLOR) for many of the provisions that are in this bill. As this D.C. appropriations bill came through the full committee, I think it struck a proper balance between meeting the needs of the city and respecting the decisions of its government, and yet fulfilling our own fiscal and legislative responsibilities.

Mr. Chairman, this is never an easy bill to pass. It may be the least consequential to some Members but it is the most consequential to the community in which the Capitol is located. It is the smallest in dollar amount in terms of all the appropriations bills, and yet it can be the most contentious.

Ordinarily, the reason it is so contentious is because amendments are attempted to be added to this appropriations bill that do not belong in any appropriations bill, because they are designed to be divisive. I think we have that situation today with many of the amendments that we will be discussing. They are divisive amendments. For the most part, these are not decisions that should be made here, but rather should be made by the constituency that is most directly affected by the result of those decisions; in other words, the people that live within the District of Columbia.

I do appreciate the fact that after the subcommittee mark, a number of changes were made to this bill that I think considerably improve this bill. For example, in the subcommittee, while charter schools were increased by $21 million to meet the increased demand and about 4,000 students now apparently want to attend charter schools this year, all that money was taken out of the traditional D.C. public school system.

Mr. Chairman, that is not fair. We cannot eliminate teachers or classrooms just because one, two, or three students leave a classroom to go to a charter school. Some of the new charter school students are coming from private schools. So the policy of paying for charter school expansion by cutting the traditional public school system has been rectified, so that in fact the D.C. public school system will get all of its money, as will the charter school movement.

In addition, there are a number of new economic developments taking place within the District of Columbia. This bill enhances their ability to realize their potential.

For example, this bill includes $25 million that can be used for a metro stop at the new civic convention center; it includes $46 million out of the potential $75 million that the Senate had added for infrastructure. We think $46 million should go a long ways to meeting the infrastructure demands on the city.

□ 1615

This bill does address the problem we have at the Lorton Reservation in Virginia where a prison is closing down and we need to determine what toxicity exists in the soil, what kinds of environmental cleanup is necessary. We will have to make some changes both to the report language and to the bill in order to do it properly. The General Services Administration is the proper agency to conduct an environmental assessment, so I hope that we will be able to accomplish that on the floor today.

The amendments, though, that will probably take the most time are ones that were meant to be divisive. For example, there will be an amendment on needle exchanges. Nobody wants to deal with needle exchanges. Nobody really wants to address a problem of HIV infection that is tied to drug addiction. But the reality is that we have a serious problem in the District of Columbia and, in fact, the new cases of HIV infection are as a result of dirty needles, particularly among women, particularly among the minority community. In the committee, we fixed the problem by saying, we will not use Federal money but they can use their local money and their private money.

I would hope that we would sustain that full Appropriations Committee decision and reject the amendment that will be offered by the gentleman from Kansas (Mr. TIAHRT).

Likewise there will be an amendment with regard to adoption. This amendment says that if you are not in a traditional marriage arrangement, then you cannot adopt. Yet by implication it suggests that if you cannot engage in a long-term commitment with another adult, whether it be heterosexual or homosexual, albeit unmarried, then you are worthy of adopting a child. We do not think that is the kind of thing we ought to get involved in.

There will also be an amendment on the so-called DC voucher system. I know everyone is trying to figure out ways to improve the D.C. public school system. If we can do that, we can go a long ways to enabling the District of Columbia to be economically and socially self-sufficient. But if the D.C. voucher amendment is added to this bill, we may as well not go any further, because it is a poison pill. The President has stated quite clearly it will be vetoed if the voucher amendment is added. So while you may want to vote for vouchers independently, I would suggest that it should not be added to the appropriations bill, and so we would expect that would merit a no vote.

Now, there is another bill, there is another amendment that will be offered by the gentlewoman from the District of Columbia (Ms. NORTON), and I think it is a very legitimate amendment to offer. The gentlewoman from the District of Columbia (Ms. NORTON) would prefer that we sustain a provision that the D.C. government, in fact, has voted in favor of, which would require that any new hires within the D.C. Government be residents of the District of Columbia. The problem is that that restricts the personnel pool from which the District can choose its new hires, much too severely. We do not think it is in the interest of the District of Columbia, and we would argue against that provision.

We will have other amendments dealing with the use of local funds for abortion. Again, if we do not pass those amendments, it is going to be severely restricting local funds. We have got another provision that prohibits the District of Columbia government from being able to spend their own funds on advisory neighborhood commissions. The gentleman from California (Mr. DIXON), I trust, will address that.

This could be a long debate. I would hope throughout this debate, though, that the Members would show sensitivity and respect for the prerogatives of local government and in the long run what is in the very best interest of the District of Columbia citizens. That is our ultimate responsibility.

Mr. Chairman, I reserve the balance of my time.

Mr. TAYLOR of North Carolina. Mr. Chairman, I would like to announce also that a member of our committee, the gentleman from California (Mr. CUNNINGHAM), is in the hospital for surgery. The surgery was successful and he is doing fine and we wish him well. He submitted a letter today showing his support for the bill and his constant concern for education, for which he has made a major contribution to this committee. I ask that his letter be included for the RECORD.

CHAIRMAN TAYLOR: As you know, I would much rather be with you today working on the people's business than to be where I am now. I appreciate everyone's get well wishes, and want you to know that I'm doing fine. I'm keeping an eye on you via C–SPAN. And I'll be back in action very soon.

Mr. Chairman, as a member of the DC Appropriations subcommittee, I appreciate you entrusting me with the task of working on the education provisions of the District of Columbia Appropriations bill. This is tough work. Washington is a world capital, but the educational opportunities for the District's children have for years fallen far short of world-class.

However, I am pleased to say that we are seeing real signs of progress for the children of the District:

First, math and reading test scores are up in every grade—not as much as we would like, but they are up.

Second, the evidence shows that the children of Washington, D.C., want to learn. This is true of children everywhere. But when the Washington Scholarship Fund offered 1,000 opportunity scholarships to children of low-income families to have the same educational choice as Washington's wealthy citizens, the Fund received over 7,000 education scholarship applications. And this summer, some 20,000 students signed up for summer school—many of them without having been assigned to attend.

And third, the DC Schools new superintendent, Dr. Arlene Ackerman, has cut bloated central office bureaucracy, and is placing the schools' focus on the things that

count: teaching and learning. She's getting it done.

So we are seeing changes in the right direction—changes that this DC Appropriations bill rewards with out support and our confidence. This bill provides $545 million in local funds for DC schools, which is the full funding request. And the bill fully funds innovative public charter schools—32.6 million, sufficient for a significant increase in enrollment and in the number of charter schools.

The House will have an additional chance to provide the children of the district even more educational choice and opportunity. I want to express my support for Rep. ARMEY's amendment to provide opportunity scholarships for tuition and tutoring for thousands of the district's least fortunate young people. Last April, my Irish colleague Mr. MORAN, the subcommittee's ranking member, gave an eloquent speech for opportunity scholarships for the District's children.

He said, ''85 percent of the children in Ward 3, the wealthiest ward in this city, have a choice of schools, and they choose to send their kids to private schools. Why should the parents in other wards of the city not have the same choice? Why should their kids suffer so because of the accident of their birth?'' He went on to say, ''It is not fair to deny hope to even 2,000 children. What is fair is to support this bill.'' And I agree.

Let's give the District's children a fighting chance to achieve the American Dream. Let's make sure they get a good education. For the children,, and for their future, I urge my colleagues to support the DC bill.

With warm regards,

Your wingman,

RANDY ''DUKE'' CUNNINGHAM,

Member of Congress.

Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. DAVIS), who is the authorizing chairman for D.C.

Mr. DAVIS of Virginia. Mr. Chairman, I thank my friend for yielding me the time.

This is generally one of the most controversial and contentious appropriation bills that hits the House floor, mainly because of the riders and the interference in local government and the strong passions that some of the amendments evoke among Members with strong feelings on both sides. This year's bill is no exception.

I support this bill on the theory that the longer it hangs around the House floor, the more amendments get added, and it tends to get worse. Traditionally, we have moved it off the House floor into conference, worked in a collegial way, and gotten back something that works in the interest of the District of Columbia and the entire region. I am hopeful that that will happen in this case. I think I have assurances that is going to happen.

Let me address some of the items in this bill that I think are beneficial to the city and beneficial to the region. Both of my colleagues have spoken about the $25 million for the metro improvements at Mount Vernon Square metro. This is critical. We passed a bill out of this House last week on unanimous consent that will allow a new Washington Convention Center to be built downtown.

This is critical for the City of Washington for this reason: They need a tax base. This will help revitalize the downtown and, working in concert with the MCI Center down there, this will, I think, enliven and revitalize the downtown area, increase taxes and job opportunities for District residents.

There are parts of the convention authority legislation that guarantee jobs and give incentives for jobs for District residents, many of them unskilled, who will no longer have to be on welfare. It will help the welfare to work, help some of them from having to commute to the suburbs to work downtown. When it is established, I think we will see the long-term establishment of tens of thousands of jobs downtown, particularly in the hospitality interests. The District of Columbia residents and the tax base and charitable organizations that are going to benefit from that need this to happen. Without the $25 million in this particular bill, the dollars fall short. It is very difficult for the city to come up with it. I thank the chairman for including that in this mark of the legislation.

Seven million for environmental assessment at the Lorton complex where the city has housed for over 75 years a correctional facility. We know now there are severe environmental problems at the site. But we also know that if we can get the EPA in, do the environmental assessment, we can start the cleanup there and deal with the site. Over the long-term that is in the best interest of the taxpayers, not just in the District of Columbia but of the entire Nation. This is the time to do it. This is the starting place. I thank the chairman for including this money in the bill as well.

There are some controversial amendments in this. I want to note early, and I will speak at the appropriate time, the gentlewoman from the District of Columbia (Ms. NORTON) has an amendment to allow the city to expend its own dollars for a lawsuit to help a pro bono firm that is trying to establish what the city's voting rights are. For this Congress, which took what little voting authority the city had away from the city, I think we should not deprive them of the money to at least confer with pro bono counseling to find out what their rights are, and then this Congress can deal with it up or down. I intend to support that.

The residency requirement is one that evokes some controversy, but I think the city needs the best employees it can find, wherever they can find them, and I think that the protection that is offered by the Committee on Rules on this is important. I will speak against that at the appropriate time.

I urge approval of this bill.

Mr. MORAN of Virginia. Mr. Chairman, I yield 5 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I thank the gentleman for yielding me the time.

Let me begin by saying that Article I, section 8, clause 17 is repeatedly cited as the basis for anti-democratic, authoritarian control over the District of Columbia. Almost a century after the Article I language was added by the framers, new language was added that must be read in conjunction with the Article I language. It reads as follows: No State shall deny any person within its jurisdiction equal protection of the laws.

Legislating for District residents and overturning its laws deprives the citizens I represent of equal protection of the laws. I ask that out of respect for the sanctity of the Constitution, if Members insist upon undemocratic actions, you do so in your own name, not in the name of the Constitution of the United States.

Once again, Congress is about to engage in a game of self-torture. For the District, this annual appropriation has become a profoundly punitive exercise. The District appropriation bill is replete with undemocratic interference and amendments that concern only the over half million people who live in the District. Yet we are about to spend hours on a city council agenda.

No serious national legislature should be voting on a residency law for city employees or on funding for neighborhood commissions or on funding of a voting rights lawsuit or on local tobacco legislation. Nor should Members be dragged to the floor only for the purpose of putting them on record on a litany of controversial amendments. Are there no limits to political opportunism even when it hurts Members on your own side?

Clearly there are no compunctions about hurting District residents. The city council, the mayor and the control board have done what Congress has urged for years. They have produced a tight, balanced budget with a surplus. One would think that the Congress that has been critical of the city would want to acknowledge the good work of the control board and elected officials who have brought the District back from the ashes of insolvency.

One would think that the Congress would say, amen, and get on with the Nation's business. Instead, this body is treating the city today no differently now from how the District was treated when it was at its nadir just a couple years ago.

Is not the District entitled to deference when it submits a tough budget that uses all of its surplus to pay down the debt?

The Congress itself has yet to be so fiscally responsible about its finances. The District's need for investment in technology and in its many residents who have been hurt by the financial crisis is palpable. Yet the city has submitted a budget that puts compelling needs aside to pay down the debt.

What is the congressional response to this fiscal responsibility? An irresponsible set of controversial legislative ornaments that undemocratically overturn the wishes of local residents. It is

time this body showed District residents the respect they are entitled to as American citizens.

This appropriation disrespects the District's elected officials. It disrespects Congress' own agent, the appointed control board, and it profoundly disrespects the people I represent.

It shows hardly more respect for the Members of this body who will be forced to vote on local trivia and controversial social issues alike, none of them national matters. There is only one appropriate way to respond to this appropriation. Send it back where it came from.

□ 1630

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume to say that I do not wish to get into a long constitutional debate with my good friend, the gentlewoman from the District of Columbia (Ms. NORTON). Of course, in the Federalist Papers Mr. Madison specifically addressed this at some length, about the duty of the Congress to administer the Capital city. And he said, among other things, ''It is the indispensable necessity of complete authority at the seat of government that carries its own evidence.''

Each of us in the Congress have a duty to administer the budget of the city of Washington. It is our Nation's Capital. And I would hope if it is ever changed, it will be changed in the due course of a constitutional amendment that would require us to do our duty within the law.

Ms. NORTON. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of North Carolina. I yield to the gentlewoman from the District of Columbia.

Ms. NORTON. Mr. Chairman, is the gentleman citing the Federalist Papers for the proposition that the national legislature should be able to overturn any law of a local legislature?

Mr. TAYLOR of North Carolina. No, I am pointing out that Congress had an experience in Philadelphia where they determined as a body, and it was enacted and in the Constitution in the beginning, deliberately wanting to have control of the capital city. It was not a mistake. It was not something that was meant to be abrogated by some section of the Constitution later on. It was the deliberate intent of the framers of the Constitution. And I say that we will have to amend that by a constitutional amendment.

Ms. NORTON. Mr. Chairman, will the gentleman further yield?

Mr. TAYLOR of North Carolina. I will yield to the gentlewoman from the District of Columbia one more time.

Ms. NORTON. Is it the gentleman's view that the framers intended democracy to obtain in every other jurisdiction of the United States except the District of Columbia because they enacted Article I?

Mr. TAYLOR of North Carolina. They certainly did. But Madison pointed out there are situations throughout this land where the Federal Government will have its own rules, and the capital city will be one.

Mr. Chairman, I reserve the balance of my time.

Mr. MORAN of Virginia. Mr. Chairman, I yield myself 30 seconds to say that the gentleman from California (Mr. CUNNINGHAM) would normally be speaking at this point, after the chairman of the committee. Mr. Chairman, Mr. Cunningham has been immensely helpful, particularly in the education area. He fought not just for money for charter schools but also for the D.C. regular public education system, and so we miss him.

He is right now in the hospital. He just had surgery, but he says he feels like a million bucks and he will be back with us after the Labor Day recess. But we want to recognize the fact that normally he would be very much engaged in this debate.

Mr. Chairman, I yield 4 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Chairman, I thank the gentleman from Virginia and the ranking member for yielding me this time.

I rise to express my pleasure at the fact that this bill, again this year, deals with a disparity that has existed for some period of time, which the gentleman from California (Mr. DIXON) and I worked on, and now the committee is continuing to work on, and I congratulate the gentleman from Virginia (Mr. MORAN) and the gentleman from North Carolina (Mr. TAYLOR), and that is the effecting of equitable pay for the fire fighters of the District of Columbia.

For many, many years, the fire fighters of the District of Columbia have not only received less pay than their counterparts in this region outside of the District of Columbia, but also have been paid disparately with respect to the police in the District of Columbia. Indeed, the police themselves went for long periods of time with a freeze on their pay. The gentleman from California (Mr. DIXON) and I were concerned about that. Action has been taken, and we believe that that has moved in the proper direction.

When we talk about police and fire in the District of Columbia, we obviously talk about those agencies that are charged with the protection not only of the non-Federal part of the District of Columbia but the Federal part as well. Obviously, the Federal Government does not have fire fighters. They are, in fact, the fire fighters of the District of Columbia, charged with the responsibility of responding to fires.

Most recently we saw the fire at the Longworth Building to which the D.C. Fire Department and rescue squads responded. They did an outstanding job. They, along with the Capitol police, ensured we exited the building and we confronted the fire.

So that when we talk about the D.C. Fire Department, we are talking about those individuals, those Americans who daily are called upon to respond to emergencies of literally millions of visitors from throughout the United States that come to this capital, visit other monuments and office buildings around this city, and generally come to see their capital city and to share the pride that we have in that which it represents.

So I want to congratulate the gentleman from North Carolina and the gentleman from Virginia for their leadership, and the gentleman from California for his leadership over so many years, and others, as well as Mr. Miconi, the staff member who has so ably staffed this committee for over, I guess two decades. I am not sure, but a long time.

It is appropriate that we do this, and it is appropriate that we do it not just for the city, though doing it for the city alone would be appropriate, but we do it for all the citizens of the United States who have invested much of their resources in building this capital city and then visiting it, and these brave men and women of the D.C. Fire Department and rescue squads who ensure their safety while visiting here. And the fact that we are now going to pay them appropriately is a testament to the good judgment that the committee is showing. I will certainly enthusiastically support that and congratulate the committee for its actions.

I want to say as well that he sits here not as the ranking member or as the chairman, but I do not know anybody who has paid closer attention, been more supportive, is more knowledgeable about the District of Columbia as it relates to the Federal Government than my friend from California, the distinguished member of this subcommittee, but formerly the chairman for many, many, many years of this subcommittee, under whom I had the privilege of serving for many years on this committee. And I want to congratulate the gentleman from California (Mr. DIXON) for all the work that he has done, and thank the gentleman from North Carolina (Mr. TAYLOR) and the gentleman from Virginia (Mr. MORAN), and look forward at some future point to discussing other aspects of this bill.

Generally, I want to say that I am a strong supporter of home rule. And where home rule affects citizens who live in the District of Columbia solely, I think it ought to be left to its own devices, whether we agree or not. When it affects others, I think it is appropriate for us to intervene, and we will discuss that at a later time.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 5 minutes to the gentleman from Kansas (Mr. TIAHRT), who is an outstanding member of our subcommittee.

Mr. TIAHRT. Mr. Chairman, I want to thank the chairman for yielding me this time, and also acknowledge that I have enjoyed working with the ranking minority member, the gentleman from

Virginia (Mr. MORAN). Although we occasionally do not agree, we have had a good relationship in working together.

I think we have put together a pretty good bill here, although I hope to amend it. I will talk about that a little later, but I am going to vote for this bill whether I am successful in my amendment or not.

I think the District of Columbia is headed in the right direction. The direct Federal contribution is down. The District is running a surplus. We have certainly seen some changes that have been dramatically positive, and I am very pleased by that.

This bill also includes repeal of the residency requirement, which I think is good policy. It will allow the District to hire qualified personnel to work for their police and fire departments.

It also appropriates $32.6 million for charter schools, a concept that I think has been successful in my home city of Wichita and my home State of Kansas, as well as here in the District of Columbia. It provides $156 million for special education projects. It allocates $4 million in Federal funds for the Boys Town facilities in the District.

It stipulates that any excess revenues be applied to eliminating D.C.'s accumulated deficit and creates a reserve fund to replace seasonal borrowing, paying water and sewer fund debt, and retiring the outstanding long-term debt.

It also requires teachers to pass competency tests in order to receive pay raises, something that my friend, the gentleman from California (Mr. DUKE CUNNINGHAM), who could not be here today because of his operation, did support.

We also have in there some small programs where we are using public capital to help with the private initiatives. One is the People's House Hotline. It is a small amount of money, but it is a program where we have both the public sector and the private sector being able to come together and provide a wonderful service to those who are truly in need.

This hotline, which is housed in a building that was provided through the effort of the gentleman from Virginia (Mr. FRANK WOLF), the gentleman from Ohio (Mr. TONY HALL), and Senator DAN COATS, connects people with the services that are available to them. All they have to do is call a number and there is a memory bank of nearly 4,000 social services and churches that offer a wide variety of assistance, including food, clothing, shelter, housing, GED courses, tutoring, a vast array of services, and it puts them together.

They keep them on the line. When they call in, it keeps them on the line until they are able to directly hook up with these facilities, so that they do not get shuffled off into some pattern where they do not get the services they so desperately need.

We also have funding for the first time that matches private sector funds for the Mentoring Friends Program. This is a concept that was developed with private funds in Portland, Oregon, in 1993. They currently serve about 200 children.

This is a situation where mentors spend time with 5- and 6-year-olds. They make a commitment to spend time with them over the next 10 years. They are there to coordinate with their families and the schools, to help them fight off drug abuse, to help them with any school failure, to keep them out of gangs, to give them hope for the future.

This is one of those instances where we see something positive happening in the District of Columbia that could spread to other cities. Big parts of this city are in desperate need of attention, and a macro approach has not been very effective. But here in a micro approach, where one-on-one these kids' lives are being changed, it is an investment in the future.

Now, I want to talk just a little bit about an amendment I am going to offer. It is going to be an attempt to limit any funds from being used for a needle exchange program. Currently, the Whitman Walker Clinic has a van that drives around the D.C. area and exchanges needles with drug abusers. Not only is that bad public policy, but the police turn their heads. According to the office of the District of Columbia Police Chief, Charles Ramsey, they have to turn their heads.

I just want to say the needle exchange program is spreading HIV and we could reduce this loss of life. The police chief has to have an unofficial policy of looking the other way when these drug addicts approach this van because these people are doing things that are illegal. Drug use equipment is illegal.

In his June 8th Wall Street Journal editorial, Dr. Satel, a psychiatrist and lecturer at Yale University, said that most needle exchange studies have been full of design errors, and that more rigorous studies actually show there is an increase in HIV infection among participants in the needle exchange program.

Our White House drug policy czar, General Barry McCaffrey, is opposed to the needle exchange program.

In Vancouver, a large study was done and they found out that the needle exchange program actually increased HIV infection among those who are using the program. The death rate went from 18 in 1988 attributed to drugs, to more than 10 per week, 600 deaths this year because of drug use, and it is related to the expansion of the needle exchange program. In Montreal there was another study that said that people are twice as likely to get infected.

So I want to support the bill, and I would like support for my amendment.

Mr. MORAN of Virginia. Mr. Chairman, I yield 8 minutes to the gentleman from California (Mr. JULIAN DIXON), a man who for several years sacrificed career opportunities, spending an extraordinary amount of time and attention all in the interest of the people of the District of Columbia as chairman of this D.C. Committee on Appropriations.

Mr. DIXON. Mr. Chairman, I thank the ranking member for yielding this time to me, and thank him for his very fine comments, and those from the gentleman from Maryland (Mr. HOYER) also.

I just want to inform the House that I am not retiring. I am looking forward to returning here in January.

Mr. Chairman, I too would like to join and say that this is a good bill, but this is a horrible bill.

I have the greatest respect and admiration for the chairman of this subcommittee for many, many reasons. The chairman of this subcommittee, unfortunately, fell on ill health, and he is a hero to me because I know that at some point in time I will fall on ill health, and I hope I will have the courage, the dignity, and the tenacity to fight back the way he did.

☐ 1645

But I must say that there is a chill in this bill. My colleagues will hear the chairman say, and he has said on the floor today, that he has left basically intact the D.C. budget, as he should. It was proposed by the mayor, scrubbed by the City Council, and rescrubbed by the agency that we delegated, that is the Financial Control Board, to deal with this budget.

But another issue that the chairman raised, and that is that two of the employees of the Financial Control Board, the executive director and legal counsel, he is, in this bill, repealing a pay raise that they received and causing them to return some $20,000.

Now, at first blush, the gentleman from Florida (Mr. MICA) might think this is inappropriate. But I want him to listen to me for a second.

In April of last year, the chairman of the committee asked GAO to take a look at some pay raises. And, in fact, the GAO looked at four individuals under the jurisdiction of the Control Board. And they came to the conclusion, which, by the way, I disagree with, I think that reasonable people could argue about the merits of the GAO conclusion, but they came to the conclusion that all four of the pay raises were inappropriately given.

There will be no dispute about that. When the chairman gets up to rebut me, listen to see if he says I am wrong on the number and what was said. All four of the GAO analyses said the pay raises were inappropriate. Why is it mean-spirited? Because the chairman has reached in and singled out two of these people to give back the money.

Now, the chairman in the Committee on Rules yesterday said, well, he could not reach the other two. For some reason, I did not understand. So I went back and I looked at the GAO report again. And it says on page 11, it is referring to the third and fourth persons, ''Since the Authority's budget currently is under review, the appropriations process for Fiscal Year 1999 provides an opportunity for Congress to

consider whether the appointment of the Chief Management Officer, with pay and benefits in excess of the limitation provided in section 102 of this act, is desirable and, if so, to enact additional legislation to specifically so provide.''

Well, the clear meaning of that language is that the GAO did not think the document that he relies on, did not think that it was beyond their authority to reach the Chief Management Officer. That is mean-spirited.

I do not think any of us would like to go home and feel that, well, we got two people who were doing a good job, there is some controversy about that, that we reached in and that we take off four of them and repeal their raise, obviously two are in favor and the other two are in disfavor. That is mean-spirited.

The second issue I want to talk about that is mean spirit in this bill, before we ever get to the amendments, we have in Washington D.C. what is called Advisory Neighborhood Commissions. Many jurisdictions may be familiar. The concept is that, at some very local level, that people will have an opportunity through an election to participate in a council at the neighborhood level.

Washington D.C. has some 37 of these. The budget contained $546,000 for allowances for these ANCs to operate. If we figure it out, it is about $15,000 or $16,000 per year for each one. Some of them rent a store front for an office. Some use it for beautification, Neighborhood Watch, and what have you.

It has been called to our attention through the press that two wrongdoers, two wrongdoers in two of these associations had, let us say, stolen money. They were convicted in a court of law and they have paid their penalty.

What is the remedy of the chairman for this? He zeros out all of the funds for the 37 advisory councils. That is mean-spirited.

These councils have people in various parts of this District that have some pride in their community and participation in government. And because two out of 300 act inappropriately and pay the penalty, we do not like the ANCs, we will zero them out.

And so, Mr. Chairman, I would like to say that this is a good bill. My colleagues have not reached into the structure of D.C. and rearranged the chairs on the Titanic. But rather, they have taken a thin pin and reached the heart of home rule. So the carcass, the anatomy is in shape, but they have sure gotten the patient with the shock and taken away what limited authority they have to exercise their own judgment and their own government prerogatives.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 5 minutes to the gentleman from Florida (Mr. MICA) who is a member of the Committee on Government Reform and Oversight.

Mr. MICA. Mr. Chairman, first, I do chair the Subcommittee on Civil Service. And the gentleman has referenced me, and I have always in my position tried to be very evenhanded and fair. The gentleman does point out that there may be some inequities and that some people may have been singled out. And if that has happened, I commit to him to make certain that we are fair, that we are evenhanded, and that we will reconsider that matter and those affected individuals because we are trying to be fair.

I did not come really to speak just on that particular issue that was raised, but I came to speak because I heard earlier in the rule debate criticism of some of the reforms that our side of the aisle, that the Republican new majority, has instituted and provided for in this bill funding the District activities.

Let me say I cannot think of any other example in which we have a greater responsibility. The District is not a State. The District is in our care under the Constitution and laws. And this District is made up of tens of thousands of hard-working men and women who are trying to make a living, raise their children, get an education, and participate in our society, and we need to do everything we can to make certain that they get a fair opportunity.

But I can tell my colleagues, I have never seen a greater example of big government gone wrong than the District of Columbia.

I was dismayed when I heard the criticism of what we were doing here. It is not unfair, it is not harsh. Let me tell my colleagues what we inherited some 40 months ago after 40 years of rule from the other side. I heard criticism of our drug proposals and our school proposals.

We inherited a disaster here. The deaths in this District of Columbia of males between the age of 14 to 40 are a national shame. I have been coming to this city for the past 18 years; and year after year, the slaughter every week, every weekend, should offend every D.C. resident, every citizen of this country.

So, yes, we will make some changes, and we have made some changes. Whether we want the Barry plan or the Giuliani plan, we are going to have a different set of rules when it comes to the conduct of drug programs in the District of Columbia. We have also responsibility; for schools, where they have spent more money than almost any district and had some of the lowest scores, highest dropout rates. My colleagues would not send their student or their children there.

So, yes, we have proposed some changes. Job training programs we looked at where the money went for administration and no one got a job, with one of the highest unemployment and welfare roles in the Nation.

Yes, we have a responsibility. The Housing Authority I saw recently portrayed on television. My colleagues would not put their dog in the Housing Authority projects that they let go. So, yes, we have proposed some tough love and some changes. But even the water system was broken. The morgue. The morgue was broken down even the hospitals.

I remember a story several years ago about emergency medical service. They said if they ordered a pizza and they called EMS, they might get the pizza faster than they got emergency medical service in the District of Columbia. It would almost be a joke if it was not so sad. It would almost be a joke if it did not affect the people of this District that are trying to live and to make this their home.

My colleagues, we have only had responsibility for 40 months. They have had responsibility for 40 years. These are God's people, and these are our charge under the Constitution and law.

What we need to do is take the District from the Nation's shame to the Nation's pride. This is our Nation's Capital. And that is what we propose.

I never thought I would be here promoting an appropriations measure after I saw billions of dollars wastefully in the past put into the District of Columbia. But, yes, the reforms that we are asking for here may be tough love, but these people deserve that love, they deserve that attention, they deserve that opportunity that has been neglected.

They had their 40 years. We have had our 40 months. These reforms, my colleagues, are long overdue. I urge everyone to come down here and support this legislation, this appropriations measure.

Mr. MORAN of Virginia. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Chairman, one of the greatest reforms Congress could make would probably would be to grant statehood to the citizens of D.C. There are more taxpayers in the District than in some of our States. I do not want to get off on that subject.

But there are a couple things I want to say here because I have an amendment and this amendment has been worked out, and I want to thank the gentlewoman from the District of Columbia (Ms. NORTON), maybe one of the best representatives in the country. And I thank her because I know she is a bulldog in taking care of her constituents, and I appreciate it.

I want to discuss what my amendment will do and what it will not do. It will not demean D.C. and does not attempt to close the prison or to slam D.C. at all.

D.C. closed Lorton. They had a problem. They had to do something with their prisoners. The country was wide open; and my district, desperate for jobs, signed a contract, and the district has lived up to their commitment. The question is, are we getting and have we been getting medium security level risks?

To clarify and codify, my amendment will state that none of the funds in the bill can be used to transfer or confine

inmates in that Youngstown private, for-profit prison that are above the medium security level. And we will use the Federal Bureau of Prisons standards to make such determination.

□ 1700

But what I am saying to the Congress has nothing to do with D.C. at this point. There is a tremendous development around the Nation of private for-profit prisons. And this whole system now is going to have to look for some uniformity, some standards, to ensure adequate staffs and training. So this is not an indictment of D.C. at all. I want to make sure that private for-profit prison lives up to the contract they have with the District, because the District has placed it on the line, signed a contract, and I just want to make sure it is right. So I am not trying to close our prison. There are some politicians jumping all over this. But I want it to be safe. I want my community to be safe. And I want us to ensure, since we do have an obligatory responsibility with D.C. under current law that we ensure that every opportunity to protect both D.C. and my district is taken care of and that there would be a limited reaction and potential for these types of problems to develop somewhere else. It is a good learning experience for us, so I thank the committee for listening to my plight and for helping with my concern.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. RIGGS) from the Committee on Education and the Workforce.

Mr. RIGGS. Mr. Chairman, I want to thank my very good friend and my classmate for yielding me this time because I know he has done once again yeoman's work in producing this bill. It is a bill that while it has some issues that pretty much divide the parties along party lines, on partisan terms, I think should be very strongly supported.

First of all, let me tell my colleagues I support the provision that is in the bill that would prohibit Federal money from being spent on needle exchange programs but believe we should go one step further and adopt the Tiahrt amendment because that would extend or broaden that provision to include District money, which after all is money that is subject to reappropriation by the Congress. I cannot believe that this body would seriously consider sanctioning legal needle exchange. I cannot believe that by inference we are willing to go on record as supporting illegal drug use, or drug abuse. I cannot believe that we would seriously consider a provision in the D.C. appropriations bill that would actually encourage addiction and chemical dependency. I am amazed that we can have this debate in the People's House and actually get off on these tangents where we buy into this sort of fuzzyheaded liberal thinking that to stand up and take a position on principle opposing these provisions somehow contradicts the Constitution or the notion of home rule for the District of Columbia. Look at what Mayor Giuliani is talking about doing in New York City. He is talking about eliminating the methadone program there. Yes, I think he calls it tough love. But we need, I think, to send that signal, that we will and we are willing to take a position based on principle and, yes, tough love.

I also want to speak to the other provision that would continue the annual prohibition on using Federal or District-related funding to implement programs that extend the same rights as married couples to cohabitating unmarried couples, such as domestic partners. I support this provision. I support the provision by the gentleman from Oklahoma (Mr. LARGENT) that would prohibit joint adoptions in the District of Columbia by persons who are not related by blood or marriage. Let me tell you again why, as clearly as I can. I think we as Federal lawmakers have a duty to oppose policies and laws that confer partner benefits or marital status on same-sex couples. The reason for that is very clear. First, to support those kind of policies sends a signal to local governments, it sends a signal to private sector companies that marriage no longer be considered a priority in making policies and laws, that marriage should not be a priority to be encouraged above all other relationships. Secondly, it would deny, I think, the clear imperative of procreation that underlies any society's traditional protection of marriage and family as the best environment in which to raise children. Lastly, I think it is wrong, again fuzzyheaded, on the part of those who would seek to legitimize same-sex activity and the claim by homosexuals that they should be able to adopt children, because there is, I think, clear evidence that that presents a danger to the child's development or to children's development of healthy sexual identities.

I hope that we will stand very firm on these provisions. I know that a little later today we are going to get caught up in the great haste to adjourn for the traditional congressional summer recess or district work period, but I think these provisions deserve full and ample debate. I do want to salute the gentleman for what he and other members of the committee, I assume the gentleman from Virginia (Mr. MORAN), certainly the gentleman from California (Mr. CUNNINGHAM), who has been mentioned here today, have done in the area of education, promoting increased funding but coupling that with greater accountability for the District of Columbia public schools. I think it bears note that the subcommittee has decided to increase funding substantially above last year and even above the District's own budget request this year, but has coupled that to reforms that would require that in order to receive pay raises, no school administrators or teachers can falsify attendance or enrollment and require that all teachers must pass competency tests.

I also salute the gentlemen for what they have done to promote greater school choice for parents in the District of Columbia. I will have more to say on that later as we discuss the Armey proposal, but the bottom line is that if you look at the increased funding for charter schools, if you look at what the Armey proposal would do, we have a potential here to provide greater parental choice for parents of almost 8,400 children, giving those parents more choice where their children go to school and encouraging hopefully better educational results and a brighter future for those children.

Again I salute the gentlemen for what they have done in the area of educational accountability and reform.

Mr. MORAN of Virginia. Mr. Chairman, I yield the balance of my time to the gentleman from Washington (Mr. MCDERMOTT).

The CHAIRMAN. The gentleman from Washington is recognized for 1½ minutes.

Mr. MCDERMOTT. Mr. Chairman, I think that the gentleman from California indicated the mean-spiritedness of this bill, but the last speaker from California really laid out the Republicans' plan for going home with a message to the American people, and it is mean-spirited all the way down the line. The amendments that are laid out are directed at specific groups to come out here and have a one last bash before we go home. In my view, that is not the way we should be treating the capital of the United States. If you really consider, are worried about this city and what has gone on here, these amendments all ought to be rejected. We ought to let the city deal with the problems.

Now, I will say some more things as we get to this needle exchange question, but if you look at that issue and ask yourself when the leading cause of death among African-American women in this country between the ages of 15 and 45 is AIDS, and then you do not want to use every possible means to protect people, including needle exchange, which has been successful in Seattle and San Francisco and a variety of other cities in this country, you simply are being mean-spirited to the people of this city. You do not care about the women of this city.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself the balance of my time.

In this year's bill we have appropriated $500 million more to the city than was appropriated last year. So we have not denied this city financially. It has always been a question of management, not money. In fact, every day you read about mismanagement in this city. In today's newspapers there was an article about $11,376 used over a two-month period by the Child Welfare Department for sex calls. The article was printed in this morning's papers.

Every day there is mismanagement pointed up in the press. It is not a question of money. It has been a question of discipline, of obeying the law and of moving forward. We have tried to put all of this together, adequate funds with adequate discipline. We hope this body will vote for this bill.

Mrs. MALONEY of New York. Mr. Chairman, I rise in support of Mrs. NORTON's amendment to allow the District of Columbia to use its own locally raised revenue to provide abortion services for poor women.

Mr. Speaker, I'd like to put this vote in perspective. This is the 96th vote on choice since the Republican majority came to power in 1995. And they've been successful in restricting abortions for many women—women in the military, poor women on Medicaid, federal employees, women in the Peace Corps, and women in federal prisons.

Today, I stand with Delegate ELEANOR HOLMES NORTON to stop this House from trampling on the rights of women in the District of Columbia. Prohibiting the District of Columbia from using its own locally-raised funds to provide abortion services is misguided and unfair. It is bad enough that D.C. residents are not allowed a voting representative in this House. This provision is a second slap in the face to all D.C. women.

I believe it is highly unfair that the District of Columbia is singled out in this way. In New York State, where I represent, we provide funding for poor women to obtain abortions. Why should the federal government step in to restrict abortion for poor women in D.C.? Especially since we're talking about their own locally raised revenue. It is simply unfair, and I urge my colleagues to support Mrs. NORTON in her efforts to delete this misguided provision.

The Supreme Court has already ruled that each state may use its own revenue to provide abortions to poor women. Unfortunately, because D.C. residents are not treated as all other citizens are, they are doubly penalized by measures such as this one.

We should really be working to eliminate the Hyde restrictions on the use of federal funds for abortion. But this amendment doesn't even go that far. It simply brings the District in line with the 50 states where the decision to use locally raised revenue for such a purpose is constitutionally protected.

Mr. STOKES. Mr. Chairman, I rise in opposition to the Armey ''Private School Vouchers for DC'' amendment. This measure would assist only 3 percent of the District's school population. It would do nothing to address the critical needs within the District's public schools such as the need to: Increase academic standards, reduce class size or modernize school facilities.

Previous attempts by Congress to enact legislation that would provide for private school vouchers in the District of Columbia have failed. And, the President has indicated that he will veto H.R. 4308 if an amendment to provide for the use of such vouchers in the District is adopted.

I do not support drastic initiatives that drain critical financial resources from our Nation's public schools. And that is exactly what school vouchers do.

The city of Cleveland has had a crash course in school vouchers. And, we have learned—the hard way—that education vouchers programs are expensive, they do not work. It is well known that the Cleveland Scholarship and Tutoring Grant Program has provided little benefit to the low-income students it was intended to reach. In fact, a recently released independent audit and an evaluation of the Cleveland Scholarship and Tutoring Grant Program shows that: This program has attracted better achieving students away from the Cleveland public schools; there are not significant differences in third-grade achievement between voucher students and their Cleveland city shool district peers; and the large number of private and parochial schools participating in the program make it very difficult to monitor the quality of education that voucher students receive.

The actual benefit to low-income Cleveland city school students is even more questionable as 45 percent of the scholarship students in grades 1–3, had already been enrolled in private school prior to being awarded a scholarship.

Supporters of school vouchers claim that vouchers would infuse much needed competition into the school system and end the problems of poor management, inadequate facilities and bad teachers because low-income families would choose to send their children to better schools. They are completely wrong.

School voucher supporters also believe that voucher programs ensure safer schools. They may, but only for a select few students. If we want to make our public schools safer, we must look at common-sense solutions that our young people need in order to learn, succeed and be safe. Such efforts range from proven academic programs with high standards for conduct and achievement to high-quality summer programs and activities that encourage students to stay engaged in the learning process throughout the summer months.

Vouchers are not the silver bullet for what ails our Nation's public schools. They merely offer empty promises to low-income students that deserve a much more substantial commitment to their education. Our children need us to make real investments in public education. Given limited resources, our scarce taxpayer dollars should be used to lower class size. This is a proven, cost effective means of promoting student academic achievement.

I strongly believe that we have a moral obligation to ensure that every boy and girl has equal access to quality education. Public education was intended to provide a level playing field for all Americans, regardless of their socioeconomic status. Unfortunately for many, it does not. School voucher programs, however, are not the answer to this problem. We cannot afford to abandon our Nation's beleaguered public schools for costly, ineffective initiatives. Rather, it is absolutely critical that we focus our attention and resources on strengthening and improving them.

It is for these reasons that I urge my colleagues to join me in voting ''no'' on the Army ''Private School Vouchers For DC'' Amendment.

Mr. BEREUTER. Mr. Chairman, this Member is pleased to support H.R. 4380, the fiscal year 1999 District of Columbia Appropriations. This Member also wishes to thank the distinguished gentleman from Louisiana (Mr. LIVINGSTON), the Chairman of the Appropriations Committee, and the distinguished gentleman from North Carolina (Mr. TAYLOR), the Chairman of the D.C. Appropriations Subcommittee, as well as the distinguished gentleman from Wisconsin (Mr. OBEY), the Ranking Member of the Appropriations Committee, and the distinguished gentleman from Virginia (Mr. MORAN), the Ranking Member of the D.C. Appropriations Subcommittee, for including an appropriation of 4 million dollars for the Washington, DC Boys Town Facility.

As you may know, Father Flanagan founded Boys Town in 1917 to provide care to homeless, abandoned boys in the Omaha, Nebraska, area. Since then, Boys Town has taken its successful formula of helping troubled and needy children to all party of the country, including Washington, DC. The DC facility opened its doors in 1993, and since then has served hundreds of boys and girls through its short-term emergency shelter, Common Sense Parenting program, recruiting and training foster parents, and by providing long-term residential homes for at-risk youth. The Boys Town method of providing education and care to children had been a proven success nationwide and in the Washington, DC, area, but more help is needed. Because of the large demand in this area, and because other local shelters have recently closed their doors, Boys Town is expanding its DC service to provide assistance to more children who will be able to receive this greatly needed help.

The generous amount provided in this appropriations bill will help Boys Town begin to give hundreds of DC children the opportunity to experience a stable, home-like atmosphere where they can learn and prosper. Again, this Member thanks the Chairmen and Ranking Members, as well as all of the members of the Appropriations Committee, for providing Boys Town with these greatly-needed funds.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

The amendments printed in House Report 105–679 may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the District of Columbia for the fiscal year ending September 30, 1999, and for other purposes, namely:

FEDERAL FUNDS

METRORAIL IMPROVEMENTS AND EXPANSION

For a Federal contribution to the Washington Metropolitan Area Transit Authority for improvements and expansion of the Mount Vernon Square Metrorail station located at the site of the proposed Washington Convention Center project, $25,000,000, to remain available until expended.

NATION'S CAPITAL INFRASTRUCTURE FUND

For a Federal contribution to the District of Columbia towards the costs of infrastructure needs, which shall be deposited into an escrow account of the District of Columbia Financial Responsibility and Management Assistance Authority and disbursed by the Authority from such account for the repair and maintenance of roads, highways, bridges, and transit in the District of Columbia, $21,000,000, to remain available until expended.

ENVIRONMENTAL STUDY AND RELATED ACTIVITIES AT LORTON CORRECTIONAL COMPLEX

For a Federal contribution for an environmental study and related activities at the Lorton Correctional Complex, to be transferred to the Federal agency with authority over the Complex, $7,000,000, to remain available until expended.

AMENDMENT OFFERED BY MR. MORAN OF VIRGINIA

Mr. MORAN of Virginia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MORAN of Virginia:

Page 2, line 23, strike ''Lorton Correctional Complex'' and insert ''property on which the Lorton Correctional Complex is located''.

Mr. MORAN of Virginia. Mr. Chairman, this is simply a technical perfecting amendment. The language says Lorton Correctional Complex, which would refer to the facility. We want the environmental study done of the property on which the facility is located. We do not want to spend $7 million to sweep the floors within the prison. We want to determine what toxins might exist around the complex. Obviously most of the toxins were dumped out of the prison, they are throughout the property on which the prison facility is located. I have to say that this would not have been necessary but for the fact that we only got this bill language yesterday morning. As a result, we were only able to look through the bill at the last minute. I would expect that this would not be a problem, that we can clarify it. I cannot imagine why it would be controversial.

Mr. DAVIS of Virginia. Mr. Chairman, will the gentleman yield?

Mr. MORAN of Virginia. I yield to the gentleman from Virginia.

Mr. DAVIS of Virginia. Is it not a fact that there have been environmental cleanups and pipes breaking well off the correctional facility property, that have in fact leaked into the Occoquan River that flows through there and has polluted that water and there have been in fact many lawsuits against the city of the District of Columbia for these and these are well off the prison complex reservation itself?

Mr. MORAN of Virginia. Taking back my time, the gentleman is absolutely correct. There is an aquifer that runs under the complex. That is why if the language is as restrictive as is stated in the bill, then we really do not accomplish the objective of determining what the cost of a complete environmental cleanup would be. I am glad the chair of the authorizing committee is familiar with the situation as he obviously is and understands the necessity of perfecting this language so that it can accomplish its objective.

Mr. DAVIS of Virginia. Is it not also a fact that to actually dispose of this property, the GSA or the Department of Interior or whatever Federal agency would be given that task, that they would need to know what those environmental cleanup costs are before they could dispose of it to anyone?

Mr. MORAN of Virginia. Reclaiming my time, the gentleman is absolutely correct. We did attempt to put further language in this bill. I think it should have been included, obviously, that could have facilitated the transfer from the Department of Interior to the General Services Administration. They made the estimate of $7 million as to what would be necessary to do the environmental assessment and other related activities. I would hope that perhaps in conference we could take care of that.

□ 1715

But without this clarifying language then the $7 million is not of any real use because it is only confined to the facility. I appreciate the gentleman's comments though.

Mr. TAYLOR of North Carolina. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am not going to object to the amendment at this time, I am not going to object to this language at this time. The gentleman came to me for a $7 million study for the EPA to determine the extent of the environmental pollution at Lorton. We put that together and submitted the language to the gentleman as quickly as we could, and the gentleman stated through the staff, that the report language regarding those funds was adequate.

Now, as the gentleman knows, there are a number of attempts to use this appropriations bill to remove the Lorton prison from the rightful control of the Department of Interior and to make transfers for the land, either part or all of it, without compensation to the city of D.C. which has a $3.7 billion debt unwritten by the American taxpayer, and the thought is to pass it to northern Virginia.

Now I am sure the gentleman would agree that the authorizing committee of jurisdiction should deal with these issues and the entire Congress should be apprised as to what disposal is made of that money, and I would hate to think that it would be taken away from the District of Columbia to go to a park in northern Virginia.

I can only say that there are a number of Democrats and a number of Republicans who have expressed concern about this transfer if it should happen, and I have reason to believe that it might. One Member of Congress in northern Virginia stated in a statement that was sent out by hundreds of thousands of leaflets: My preference is to devote a substantial amount of this property; that is, these 3,000 acres of Lorton prison, to the Northern Virginia Park Authority, to provide for a quality affordable golf course and some other things.

Now this is one of the most wealthy parts of the State of Virginia, and I would hate to see the people of D.C. deprived of the money or the exchange of this property and realize nothing.

I would also point out some nine pages have been presented to the Committee on Rules that would have set the matter up for transfer under the General Services Administration of any property on which the Lorton Correction Complex shall be transferred, to the Northern Virginia Recreation Park Authority.

Now what I am saying is I will not object to the gentleman's amendment, but I will fight very strongly in conference any attempt to change language that would allow this property to be taken away from the people of this Nation and the people of DC without any compensation or recognition without the full understanding and agreement by this body.

Mr. DIXON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from Virginia (Mr. MORAN), the ranking member of the committee.

Mr. MORAN of Virginia. Mr. Chairman, I would like to point out to the chairman of the committee that the D.C. Revitalization Act transferred this property to the Federal Government, the Department of Interior. So, it is not the citizens of the District of Columbia now that are responsible for it, but the Department of the Interior recognizes it does not have the resources, nor the will, to maintain this property, and thus it is at their request that it is the General Services Administration that would assume responsibility for the property as well as the environmental assessment and subsequent clean up.

Mr. DAVIS of Virginia. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield to the gentleman from Virginia.

Mr. DAVIS of Virginia. Mr. Chairman, first of all the Northern Virginia Regional Park Authority right now has 150 acres of leased land from the Lorton complex. It is not city property, it is Federal property; I think we need to understand that. If and when the property is sold, I think at that point it would be appropriate to determine if the city should receive any of those proceeds, and I think hopefully the whole body would be involved with that at this time.

But it is noted that I am not going to elaborate on this except to say the

Chairman has said he will accept this amendment. I think that is in good faith, and we can deal with some of these other authorizing issues later.

But I want to note that the White House, the Department of Interior and GSA all agree that the Department of Interior, who this land is conveyed to at this point, is not the appropriate agency at this point to make the environmental assessment and later to decide how that land should be sold, divided, developed, discarded or whatever, and it is only for that reason that we have asked ultimately that GSA make those determinations. They are the appropriate Federal agencies that would do that.

I do not know of any other conspiracy or news letters except to say on a personal basis I do not favor massive development at that site. Anyone who has driven down that I–395 corridor during rush hour knows that the infusion of thousands and thousands and thousands of more cars is not an appropriate use.

But I think at this point that is not the purpose of this amendment. The purpose of this amendment is simply to get the environmental costs so that the GSA can go about their job, make the appropriate environmental evaluation, and we can move ahead and work with the chairman and others to decide what should happen from there.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia (Mr. MORAN).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OFFENDER SUPERVISION, DEFENDER, AND COURT SERVICES AGENCY

For a Federal contribution for the District of Columbia Offender Supervision, Defender, and Court Services Agency for establishment of a residential sanctions center and drug testing, intervention, and treatment, to be used to ensure adequate response to persons who violate conditions of supervision and to implement recommendations of the District of Columbia Truth-in-Sentencing Commission, $4,000,000.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA CORRECTIONS TRUSTEE OPERATIONS

For payment to the District of Columbia Corrections Trustee, $184,800,000 for the administration and operation of correctional facilities and for the administrative operating costs of the Office of the Corrections Trustee, as authorized by section 11202 of the National Capital Revitalization and Self-Government Improvement Act of 1997, Public Law 105–33.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

Notwithstanding any other provision of law, $142,000,000 for payment to the Joint Committee on Judicial Administration in the District of Columbia; of which not to exceed $121,000,000 shall be for District of Columbia Courts operation, and not to exceed $21,000,000, to remain available until September 30, 2001, shall be for capital improvements for District of Columbia courthouse facilities: *Provided,* That said sums shall be paid quarterly by the Treasury of the United States based on quarterly apportionments approved by the Office of Management and Budget, with payroll and financial services to be provided on a contractual basis with the General Services Administration, said services to include the preparation and submission of monthly financial reports to the President and the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform and Oversight of the House of Representatives.

DISTRICT OF COLUMBIA OFFENDER SUPERVISION, DEFENDER, AND COURT SERVICES AGENCY

For payment to the District of Columbia Offender Supervision, Defender, and Court Services Agency, $59,400,000, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, Public Law 105–33; of which $33,802,000 shall be for necessary expenses of Parole Revocation, Adult Probation and Offender Supervision; $14,486,000 shall be available to the Public Defender Service; and $11,112,000 shall be available to the Pretrial Services Agency.

FEDERAL PAYMENT FOR METROPOLITAN POLICE DEPARTMENT

For payment to the Metropolitan Police Department, $1,200,000, for the administration and operating costs of the Citizen Complaint Review Office.

FEDERAL PAYMENT FOR FIRE DEPARTMENT

For payment to the Fire Department, $3,240,000, for a 5.5 percent pay increase to be effective and paid to firefighters beginning October 1, 1998.

FEDERAL PAYMENT FOR BOYS TOWN U.S.A.

For a Federal contribution to the Board of Trustees of Boys Town U.S.A. for expansion of the operations of Boys Town of Washington, located at 4801 Sargent Road, Northeast, $4,000,000, to remain available until expended, to be paid upon certification by the Inspector General of the District of Columbia that $3,100,000 in matching funds from private contributions have been collected by Boys Town of Washington.

FEDERAL PAYMENT TO HISTORICAL SOCIETY FOR CITY MUSEUM

For a Federal payment to the Historical Society of Washington, D.C., for the establishment and operation of a Museum of the City of Washington, D.C. at the Carnegie Library at Mount Vernon Square, $2,000,000, to remain available until expended, to be deposited in a separate account of the Society used exclusively for the establishment and operation of such Museum: *Provided,* That the Secretary of the Treasury shall make such payment in quarterly installments, and the amount of the installment for a quarter shall be equal to the amount of matching funds that the Society has deposited into such account for the quarter (as certified by the Inspector General of the District of Columbia): *Provided further,* That notwithstanding any other provision of law, not later than January 1, 1999, the District of Columbia shall enter into an agreement with the Society under which the District of Columbia shall lease the Carnegie Library at Mount Vernon Square to the Society beginning on such date for 99 years at a rent of $1 per year for use as a city museum.

UNITED STATES PARK POLICE

For a Federal payment to the United States Park Police, $8,500,000, to acquire, modify and operate a helicopter and to make necessary capital expenditures to the Park Police aviation unit base.

FEDERAL PAYMENT FOR WATERFRONT IMPROVEMENTS

For a Federal payment to the District of Columbia Department of Housing and Community Development for a study by the U.S. Army Corps of Engineers of necessary improvements to the Southwest Waterfront in the District of Columbia (including upgrading marina dock pilings and paving and restoring walkways in the marina and fish market areas) for the portions of Federal property in the Southwest quadrant of the District of Columbia that consist of Lots 847 and 848, a portion of Lot 846, and the unassessed Federal real property adjacent to Lot 848 in Square 473, and for carrying out the improvements recommended by the study, $3,000,000: *Provided,* That no portion of such funds shall be available to the District of Columbia for carrying out such improvements unless the District of Columbia executes a 30-year lease with the existing lessees, or with their successors in interest, of such portions of property not later than 90 days after the date of enactment of this Act.

FEDERAL PAYMENT FOR MENTORING SERVICES

For a Federal payment to the International Youth Service and Development Corps, Inc. for a mentoring program for at-risk children in the District of Columbia, $200,000: *Provided,* That the International Youth Service and Development Corps, Inc. shall submit to the Committees on Appropriations of the House of Representatives and the Senate an annual report on the activities carried out with such funds due November 30 of each year.

FEDERAL PAYMENT FOR HOTLINE SERVICES

For a Federal payment to the International Youth Service and Development Corps, Inc. for the operation of a resource hotline for low-income individuals in the District of Columbia, $50,000: *Provided,* That the International Youth Service and Development Corps, Inc. shall submit to the Committees on Appropriations of the House of Representatives and the Senate an annual report on the activities carried out with such funds due November 30 of each year.

FEDERAL PAYMENT FOR PUBLIC EDUCATION

For a Federal contribution to the public education system for public charter schools, $20,391,000.

DISTRICT OF COLUMBIA FUNDS

OPERATING EXPENSES

DIVISION OF EXPENSES

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia, except as otherwise specifically provided.

GOVERNMENTAL DIRECTION AND SUPPORT

Governmental direction and support, $164,144,000 (including $136,485,000 from local funds, $13,955,000 from Federal funds, and $13,704,000 from other funds): *Provided,* That not to exceed $2,500 for the Mayor, $2,500 for the Chairman of the Council of the District of Columbia, and $2,500 for the Chief Management Officer shall be available from this appropriation for official purposes: *Provided further,* That any program fees collected from the issuance of debt shall be available for the payment of expenses of the debt management program of the District of Columbia: *Provided further,* That no revenues from Federal sources shall be used to support the operations or activities of the Statehood Commission and Statehood Compact Commission: *Provided further,* That the District of Columbia shall identify the sources of funding for Admission to Statehood from its own locally-generated revenues: *Provided further,* That all employees permanently assigned to work in the Office of the Mayor shall be paid from funds allocated to the Office of the Mayor.

AMENDMENT NO. 1 OFFERED BY MS. NORTON

Ms. NORTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Ms. NORTON:

Page 8, line 22, insert ''(increased by $573,000)'' after ''$164,144,000''.

Page 8, line 23, insert ''(increased by $573,000)'' after ''$136,485,000''.

Page 9, line 4, insert after ''purposes:'' the following: ''*Provided further,* That $573,000 of such amount shall be for Advisory Neighborhood Commissions established pursuant to section 738 of the District of Columbia Home Rule Act''.

Ms. NORTON. Mr. Chairman, I ask that $570,000 in local funds be restored to the advisory neighborhood commissions. These neighborhood elected bodies were included in the original Home Rule Charter to allow residents at the block and neighborhood level participation that would otherwise be unavailable to them.

ANCs keep neighborhoods from being overloaded with liquor stores and porno shops and from being disproportionately affected by transfer stations or illegal dumping. ANCs keep parks from becoming open-air drug markets, and the Anacostia River from being polluted by people who dump refrigerators and contaminated waste.

ANCs assure community comment and feedback on matters such as the placement of facilities and thus save the central government from making many mistakes.

No government agency could possibly monitor daily the minutia of neighborhood life and ensure rapid responses to neighborhood needs.

Without the ANCs, the District's huge loss of population would have been far greater. The almost 300 unpaid commissioners achieve what it would take a legion of civil servants to accomplish.

The ANCs have already taken a 50 percent cut in funding since 1994, forcing some out of business and leaving citizens in many District neighborhoods with no neighborhood representation.

So great have been the cuts and so detrimental to the neighborhoods that the control board actually recommended a $78,000 increase in funding for FY 1999, not zero funding, as proposed here.

Ironically, the cut in the appropriation comes as an auditor's report shows that controls are working. The ANCs are audited on a regular basis and must submit quarterly reports. The D.C. auditor's 1997 annual report of ANCs reads much like a GAO report of Federal agencies.

Congress does not defund Federal agencies when we find problems. We fix the problems. The amounts involved here are minimal and some ANCs do not even spend their small allotments. This is local and only local money and it is spent on bare necessities: Office expenses, faxes, phones, neighborhood anticrime patrol equipment, and the like.

I would have no objection if the gentleman from North Carolina (Mr. TAYLOR) were to propose more stringent fiscal controls than the admirable controls that already exist.

I could not agree more that the District cannot afford to waste a cent. The auditor's report could provide a road map for further reforms. Cutting off residents' lifeline to neighborhood improvement will only increase the already astonishing flight from the city.

Restore this small amount in the appropriation. Give local residents, who are doing more than their share, a break.

Mr. TAYLOR of North Carolina. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I agree, when you are talking about $5.2 billion, which is an enormous amount of money for a city that is a little over 500,000 people, $600,000 or a little under $600,000 is not a lot of money.

What we are going to do as a body in performing our duty many times is to speak about, in small sums, to make points about what has happened to this city over a number of years.

As I mentioned a moment ago, it has not been just the money. It does not need a new or additional appropriation, but it has been mismanaged in such a callous way that the entire nation knows that it has been mismanaged.

I pointed out a moment ago about the latest newspaper story about the welfare department making almost $12,000 of 1–900 sex calls from the department. That was today. If you look at the ANCs, you will see that there have been numerous abuses. In fact, the newspapers point out that for 20 years, the ANC has fallen short of what its purpose was aimed for in the beginning.

The District Auditor has pointed out that numerous times the ANC has failed to meet the requirements that the city provides in accounting or any other phase.

In fact, the auditor in this headline points out, the D.C. auditor's office has recommended the city cut off funds to the Advisory Neighborhood Commission in the northwest until its books are balanced.

□ 1730

In addition, we have a letter from the D.C. Federation of Civic Associations, and they recommend, by resolution, Resolved, that it is the sense of the Executive Committee that the Federation of Civic Associations should work through the Committee of the ANC toward recommendations that the Advisory Neighborhood Commissions be abolished.

Now, we have the auditor recommending abolition, we have the D.C. Federation of Civic Associations, and your own good judgment should tell you, we should not continue to fund these associations.

We have internal financial controls, and I will point out that grants awarded by the ANC are in violation of laws, internal financial control procedures are not followed, questionable disbursements are disallowed, diversions of funds to personnel use of the commissioners, noncompliance with financial guidelines, inadequate record keeping. Thirty-two percent of the ANCs had not filed required quarterly reports, 19 percent have not filed those reports in a year, and one has not filed in four years. Over one-half of the money appropriated to the ANCs are not spent due to the ANC failures.

Now, this is an example. It harkens back to a time in D.C. that we are trying to remedy. It should not be kept in a thought of reminiscence. It should be abolished. We should abolish this fund, and then talk with the City Council, and they would have the right to come forward to see if there is really a need for the ANCs.

Now, the purpose of the ANC essentially is to represent people in the District with a number of their problems. Few communities get $600,000 for the community to come forward and represent them. We have a City Council with Members paid $85,000 per member to represent the people of this city. We have the Control Board, not elected, but appointed, that represents in some sense the people of the city. We have the gentlewoman from the District of Columbia (Ms. NORTON), who is a nonvoting Member of Congress, who represents the people of the city, and she does it quite effectively. Every Member of Congress represents the people of this city.

So, I would say, let us delete this $600,000 expenditure and move forward.

Mr. DIXON. Mr. Chairman, I rise to support the amendment.

Mr. Chairman, in the Committee on Appropriations when we had this discussion and dialogue, the chairman of the subcommittee said that he had many, many examples of waste, fraud and abuse. Today he used the same two examples, so I assume that he did not have the time to get them. He said at the subcommittee meeting he did not have the time to get them, but there were stacks of them. He used the same two today, so I assume that he could not find those stacks.

But, more importantly, this has nothing to do with phone sex, this has nothing to do with the associations. What it has to do with is in the Home Rule Act, the people of the District decided that they would like to have a layer of government at the neighborhood level.

Now, I am not here to defend the associations and say that they have been perfect in every instance. If they have not, and the DC auditor has looked at some of the irregularities, they have not filed reports for the $16,000. There are not jobs involved in this; this is community participation. I would think it would be a lot more constructive if we tried to work with the auditor and work with the organizations to improve them.

One of the pictures that was held up, it said that after two decades DC has

not met its dream. I think, Mr. Chairman, we should try to help them meet their dream of having involvement at the neighborhood level.

The $600,000 is not the important issue here. The important issue is that the communities want to be involved in the government and in the beautification and the neighborhood watch of their local community, and the City Council has given all 36 of them less than $600,000 total to deal with it, and you have just stripped it out of the budget and stripped the desire for them to participate.

Mr. LATHAM. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition to the amendment of the gentlewoman from the District of Columbia (Ms. NORTON).

First of all, I would like to remind my colleagues that money is fungible. The Federal tax dollars we spend are all printed with green and not identified by account. In recognizing that fact, we cannot come before the American taxpayers and say these dollars are not Federal tax dollars. Members of Congress vote to appropriate these funds. These are federally appropriated funds, and we have the right to judge how the money is spent and withhold funds that are destined to be spent improperly.

A case in point is the Advisory Neighborhood Commissions, also known as the ANCs. They have existed in the District of Columbia for over 20 years. Unfortunately, 20 years has provided plenty of time for the District's corrupt political machine to use the funds irresponsibly and inappropriately.

It is time for Congress to put a stop to these slush funds. Why? Because an audit of the ANCs' annual budget found that 12 of the 37 ANCs failed to submit one or more quarterly financial reports for fiscal year 1997, and at least 5 of those 12 failed to submit reports for a whole fiscal year.

In addition, the audit reported, internal control procedures were not followed, and some ANC officers were found to have signed checks made payable to themselves, including an ANC chairperson diverting over $10,000 of these federally appropriated dollars for personal use and a treasurer diverting another $2,400 for personal use.

ANC treasurers have failed to provide regular financial reports to the commissioners. ANC officers have spent funds without obtaining commission approval. Reimbursements were not often supported by receipts or invoices. Bank statements, balances, were not reconciled with checkbook balances. Voided checks were not consistently canceled, mutilated or maintained in ANC files.

I oppose this amendment because this Congress should support funding proposals that can help our Nation's Capital. This proposal simply funds further corruption in this city.

The ANCs have had over 20 years to do the right job, and they simply have failed. This amendment makes the Federal Government a coconspirator in an effort to expand DC's corrupt bureaucratic spiderweb into 37 separate neighborhood commissions.

In conclusion, I want Members of this body to think about a few interesting facts: The State of Iowa, where I am from, appropriates about $4.3 billion a year. Washington, DC has a $6.7 billion appropriation. To compare, Iowa has over five times more people than DC, has a much larger infrastructure than DC, spends less than one-half per student on education, and Iowa is ranked number one in the Nation. Washington, DC, spending more than twice that much, is ranked dead last. Iowa was just named the best place in the country to raise a child. Compare that to what we are seeing here in DC Obviously, we do things a little differently in Iowa, but I can safely bet we do them a little better.

We should stop wasting money on ANCs and use these dollars to actually help the people of our Nation's great capital. DC does not need more money, it needs honest leadership and management.

Mr. DAVIS of Virginia. Mr. Chairman, will the gentleman yield?

Mr. LATHAM. I yield to the gentleman from Virginia.

Mr. DAVIS of Virginia. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, let me just say, I know in a city where democracy has been stifled and a strong thirst for participation, how deep the feelings run on this, but in my judgment you can have civic involvement, you can have grassroots organizing, without appropriated funds. Out in my County of Fairfax we have hundreds of civic associations. They are the lifeblood of the community, but we do it without government money moving down, and in many instances getting misspent and misappropriated through time.

So I think the gentleman from North Carolina (Chairman TAYLOR) has it right on this particular amendment, and, with all due respect to my friend, the delegate from the District of Columbia, I join the chairman in opposing this amendment.

Mr. LATHAM. Mr. Chairman, reclaiming my time, I may just ask the gentleman, you are saying actually people do these things in communities without getting paid for them?

Mr. DAVIS of Virginia. Absolutely, with great pride. They either raise the money locally, or they do it just the old-fashioned way, with volunteer time.

Mr. LATHAM. That is kind of way we do it in Iowa.

Mr. MORAN of Virginia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am going to rise in support of this amendment. The reason is a pretty basic principle. What we are appropriating, Federal money is directed. This is local money. This really is the money that comes from the citizens of the District of Columbia, and it would seem they should be able to spend it as they would like. I admire the gentlewoman from the District of Columbia (Ms. NORTON) for wanting to sustain the Advisory Neighborhood Commissions, because she lives in D.C., and it is not always convenient to have these ANCs.

For example, the gentlewoman wanted to build a deck, and she had to go before the ANC before she can build a deck because it affects the quality of life of her neighbors. The former Speaker wanted to put in a garage, he wanted to close an alley. He could not do it because he had to go to the Advisory Neighborhood Commission himself. Mr. Michel, the former minority leader, had to go through the same kind of thing. I am sure it is annoying, but the fact is it provides a kind of vigilance to protect these individual neighborhoods.

Now, I thought that the gentleman from North Carolina (Mr. TAYLOR) brought up a very important point when he showed the newspaper article, because the newspaper article pointed out that the woman, who happened to be the mayor's former wife, Mrs. Treadwell, but the woman did misappropriate funds. That was a crime. But the point is that an audit caught it and she was punished for it. So the system is working. When we have these egregious instances, the people that commit them are caught, they are brought to justice, and it shows that the people of the District of Columbia are not going to tolerate this kind of thing. I think that is good.

I am sure that the ANCs do not work at maximum efficiency nor effectiveness, and we have read articles that show that there are a lot of deficiencies. What the gentlewoman from the District of Columbia (Ms. NORTON) suggested is try to fix it; suggest some things that will tighten it up. Already suggestions have been made by Members of the D.C. council, and I understand they are going to be implemented, that will tighten it up, and we could do more than that.

But I think to impose our will upon something that thousands of people are involved in, to say no, you cannot do this, you cannot do it with your own money, you have to give up what is really the most directly representative government that the District of Columbia has, is contrary to the principle that I thought the other side stood for, which is the maximum devolution of authority and responsibility down to the lowest level possible, where people can exercise their civic duties and responsibilities, and that is this Advisory Neighborhood Commission structure.

I do not want to fall on our sword on this, and some of the things they have done are clearly indefensible.

□ 1745

But I think it is more indefensible for us to stand here as judge and jury and

to say that the citizens of the District cannot use their own money as they would choose.

If this was a direct appropriation I think it would be something different, and I trust that we would not be appropriating directly Federal funds. But that is not what this is. This is really an imposition from the Federal Government in a way that not only is micromanagement, but I think is a real slap in the face to the efforts of the District of Columbia to gain maximum representation for their citizens, and particularly, opportunities for their civic leaders.

Ms. WATERS. Mr. Chairman, I move to strike the requisite number of words.

Ms. NORTON. Mr. Chairman, will the gentlewoman yield?

Ms. WATERS. I yield to the gentlewoman from the District of Columbia.

Ms. NORTON. Mr. Chairman, I thank the gentlewoman for yielding.

Mr. Chairman, it is my obligation to rise and respond to the gentleman from Iowa, who claimed that the funds involved, the funds before us, are ''Federally appropriated funds,'' leaving the impression that the funds we are discussing as ANC funds are Federal funds somehow fungible to the Federal budget.

Let me be clear. Every cent of the funds involved here was raised in the District of Columbia from District taxpayers. These funds are found in the budget of the District of Columbia. These funds were scrubbed and approved by the Control Board, which did so after looking at the auditor's report, after satisfying itself that the kinds of inevitable abuses we will find in this kind of operation were being addressed.

It is bad enough for the Federal Government to be appropriating somebody else's money, as I speak. We should not be appropriating a cent of the money before us. It is not Federal money, it was raised by my constituents in my city. It is bad enough for Members to appropriate it, but then to insist that because they appropriated it, it is fungible with the Federal budget, is an insult to the hardworking people of the District of Columbia, and I will not have it.

This is their money. Let them use their money as they please, as long as that money is used honestly and there are controls, and we have seen that there are.

Ms. WATERS. Reclaiming my time, Mr. Chairman, this debate is unbelievable. Everything that I have been taught as an elected official, and prior to ever being elected to office, had to do with involvement in community.

I was taught that it is important to be involved in neighborhood watch programs, to be involved in tree planting programs, to be involved in cleanup programs in the neighborhood, to be involved in one's city in ways that will help drive the politics at City Hall, in the State, and even in the Federal Government, oftentimes. Community involvement is very, very special.

For communities with a lot of money, oftentimes people do that because they have assistance that frees them up to be able to do it. They have money that they can put in, they have resources. They can call on their wealthy friends.

But not all communities are free to be involved in those ways. Many poor people, many average workers, give what they can of their time and their resources, but I firmly believe that every local government ought to have support for citizens who want to be involved in their government.

One of the things I have been very pleased about, as I have come to spend time in the District of Columbia, is the local involvement of the ANCs. I have seen the work they do and the notices they put out in the neighborhood. I am absolutely appalled, and really do not understand why anybody, particularly my friends on the other side of the aisle who claim to be about the business of involving citizens, good citizenship, about people being involved in their government, would pull the rug out from under local citizens who are doing just that with their own resources and their own money.

I dare tell the Members that none of the persons on the other side of the aisle can tell us what dollars are being spent in their many cities and towns for all kinds of activities. They would not dare confront the citizens of any of those towns and cities in their district and tell them they could not accept money from their city for involvement in ways that they have decided.

It is easy to come to Washington and pick on the District. Oh, yes, the District has had its problems. They would not do this kind of mess at home. They would not do it, because their citizens would not stand for it.

Well, maybe the citizens do not have all they need to fight them back. But for them to stand here and look the gentlewoman in the face and tell her that they are going to dictate to her citizens in the District of Columbia, using their own money, that they cannot be involved in local government, is outrageous.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON).

The question was taken; and the Chairman announced that the noes appeared to have it.

Ms. NORTON. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 517, further proceedings on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON) will be postponed.

The Clerk will read.

The Clerk read as follows:

ECONOMIC DEVELOPMENT AND REGULATION

Economic development and regulation, $159,039,000 (including $45,162,000 from local funds, $83,365,000 from Federal funds, and $30,512,000 from other funds), of which $12,000,000 collected by the District of Columbia in the form of BID tax revenue shall be paid to the respective BIDS pursuant to the Business Improvement Districts Act of 1996 (D.C. Law 11–134; D.C. Code, sec. 1–2271 et seq.), and the Business Improvement Districts Temporary Amendment Act of 1997 (D.C. Law 12–23): *Provided,* That such funds are available for acquiring services provided by the Federal General Services Administration: *Provided further,* That Business Improvement Districts shall be exempt from taxes levied by the District of Columbia.

PUBLIC SAFETY AND JUSTICE

Public safety and justice, including purchase or lease of 135 passenger-carrying vehicles for replacement only, including 130 for police-type use and five for fire-type use, without regard to the general purchase price limitation for the current fiscal year, $755,786,000 (including $531,660,000 from local funds, $30,327,000 from Federal funds, and $193,799,000 from other funds): *Provided,* That the Metropolitan Police Department is authorized to replace not to exceed 25 passenger-carrying vehicles and the Department of Fire and Emergency Medical Services of the District of Columbia is authorized to replace not to exceed five passenger-carrying vehicles annually whenever the cost of repair to any damaged vehicle exceeds three-fourths of the cost of the replacement: *Provided further,* That not to exceed $500,000 shall be available from this appropriation for the Chief of Police for the prevention and detection of crime: *Provided further,* That the Metropolitan Police Department shall provide quarterly reports to the Committees on Appropriations of the House and Senate on efforts to increase efficiency and improve the professionalism in the department: *Provided further,* That notwithstanding any other provision of law, or Mayor's Order 86–45, issued March 18, 1986, the Metropolitan Police Department's delegated small purchase authority shall be $500,000: *Provided further,* That the District of Columbia government may not require the Metropolitan Police Department to submit to any other procurement review process, or to obtain the approval of or be restricted in any manner by any official or employee of the District of Columbia government, for purchases that do not exceed $500,000: *Provided further,* That the Mayor shall reimburse the District of Columbia National Guard for expenses incurred in connection with services that are performed in emergencies by the National Guard in a militia status and are requested by the Mayor, in amounts that shall be jointly determined and certified as due and payable for these services by the Mayor and the Commanding General of the District of Columbia National Guard: *Provided further,* That such sums as may be necessary for reimbursement to the District of Columbia National Guard under the preceding proviso shall be available from this appropriation, and the availability of the sums shall be deemed as constituting payment in advance for emergency services involved: *Provided further,* That the Metropolitan Police Department is authorized to maintain 3,800 sworn officers, with leave for a 50 officer attrition: *Provided further,* That no more than 15 members of the Metropolitan Police Department shall be detailed or assigned to the Executive Protection Unit, until the Chief of Police submits a recommendation to the Council for its review: *Provided further,* That $100,000 shall be available for inmates released on medical and geriatric parole: *Provided further,* That commencing on December 31, 1998, the Metropolitan Police Department shall provide to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government

Reform and Oversight of the House of Representatives, quarterly reports on the status of crime reduction in each of the 83 police service areas established throughout the District of Columbia: *Provided further,* That funds appropriated for expenses under the District of Columbia Criminal Justice Act, approved September 3, 1974 (88 Stat. 1090; Public Law 93–412; D.C. Code, sec. 11–2601 et seq.), for the fiscal year ending September 30, 1999, shall be available for obligations incurred under the Act in each fiscal year since inception in the fiscal year 1975: *Provided further,* That funds appropriated for expenses under the District of Columbia Neglect Representation Equity Act of 1984, effective March 13, 1985 (D.C. Law 5–129; D.C. Code, sec. 16–2304), for the fiscal year ending September 30, 1999, shall be available for obligations incurred under the Act in each fiscal year since inception in the fiscal year 1985: *Provided further,* That funds appropriated for expenses under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986, effective February 27, 1987 (D.C. Law 6–204; D.C. Code, sec. 21–2060), for the fiscal year ending September 30, 1999, shall be available for obligations incurred under the Act in each fiscal year since inception in fiscal year 1989.

PUBLIC EDUCATION SYSTEM

Public education system, including the development of national defense education programs, $793,725,000 (including $640,135,000 from local funds, $130,638,000 from Federal funds, and $22,952,000 from other funds), to be allocated as follows: $644,805,000 (including $545,000,000 from local funds, $95,121,000 from Federal funds, and $4,684,000 from other funds), for the public schools of the District of Columbia; $18,600,000 from local funds for the District of Columbia Teachers' Retirement Fund; $32,626,000 (including $12,235,000 from local funds and $20,391,000 from Federal funds not including funds already made available for District of Columbia public schools) for public charter schools: *Provided,* That if the entirety of this allocation has not been provided as payments to any public charter schools currently in operation through the per pupil funding formula, the funds shall be available for new public charter schools on a per pupil basis: *Provided further,* That $485,000 be available to the District of Columbia Public Charter School Board for administrative costs: *Provided further,* That if the entirety of this allocation has not been provided as payment to one or more public charter schools by May 1, 1999, and remains unallocated, the funds shall be deposited into a special revolving loan fund described in section 172 of Public Law 95–100 (111 Stat. 2191), to be used solely to assist existing or new public charter schools in meeting startup and operating costs: *Provided further,* That the Emergency Transitional Education Board of Trustees of the District of Columbia shall report to Congress not later than 120 days after the date of enactment of this Act on the capital needs of each public charter school and whether the current per pupil funding formula should reflect these needs: *Provided further,* That until the Emergency Transitional Education Board of Trustees reports to Congress as provided in the preceding proviso, the Emergency Transitional Education Board of Trustees shall take appropriate steps to provide public charter schools with assistance to meet capital expenses in a manner that is equitable with respect to assistance provided to other District of Columbia public schools: *Provided further,* That the Emergency Transitional Education Board of Trustees shall report to Congress not later than November 1, 1998, on the implementation of their policy to give preference to newly created District of Columbia public charter schools for surplus public school property; $72,088,000 (including $40,148,000 from local funds, $14,079,000 from Federal funds, and $17,861,000 from other funds) for the University of the District of Columbia; $23,419,000 (including $22,326,000 from local funds, $686,000 from Federal funds and $407,000 from other funds) for the Public Library; $2,187,000 (including $1,826,000 from local funds and $361,000 from Federal funds) for the Commission on the Arts and Humanities: *Provided further,* That the public schools of the District of Columbia are authorized to accept not to exceed 31 motor vehicles for exclusive use in the driver education program: *Provided further,* That not to exceed $2,500 for the Superintendent of Schools, $2,500 for the President of the University of the District of Columbia, and $2,000 for the Public Librarian shall be available from this appropriation for official purposes: *Provided further,* That in using funds for repair and improvement of the District of Columbia's public school facilities made available under this or any other Act, the District of Columbia Financial Responsibility and Management Assistance Authority (or its designee) may place orders for engineering and construction and related services with the U.S. Army Corps of Engineers: *Provided further,* That the U.S. Army Corps of Engineers may accept such orders on a reimbursable basis and may provide any part of the services under such orders by contract. In providing such services, the U.S. Army Corps of Engineers shall follow the Federal Acquisitions Regulation and the implementing regulations of the Department of Defense: *Provided further,* That $244,078 shall be used to reimburse the National Capital Area Council of the Boy Scouts of America for services provided on behalf of 12,600 students at 39 public schools in the District of Columbia during fiscal year 1998 (including staff, curriculum, and support materials): *Provided further,* That the Inspector General of the District of Columbia shall certify not later than 30 days after the date of the enactment of this Act whether or not the services were so provided: *Provided further,* That the reimbursement shall be made not later than 15 days after the Inspector General certifies that the services were provided: *Provided further,* That up to $500,000 shall be available for services provided by the National Capital Area Council of the Boy Scouts of America for services provided at 78 schools in the District of Columbia during fiscal year 1999 (including staff, curriculum, and support materials): *Provided further,* That none of the funds contained in this Act may be made available to pay the salaries of any District of Columbia Public School teacher, principal, administrator, official, or employee who provides false enrollment or attendance information under article II, section 5 of the Act entitled ''An Act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes'', approved February 4, 1925 (DC Code, sec. 31–401 et seq.): *Provided further,* That funds in this Act shall not be available for pay raises to teachers in the District of Columbia Public Schools who have not passed competency tests in literacy, communications, and subject matter skills: *Provided further,* That this appropriation shall not be available to subsidize the education of any nonresident of the District of Columbia at any District of Columbia public elementary or secondary school during fiscal year 1999 unless the nonresident pays tuition to the District of Columbia at a rate that covers 100 percent of the costs incurred by the District of Columbia which are attributable to the education of the nonresident (as established by the Superintendent of the District of Columbia Public Schools): *Provided further,* That this appropriation shall not be available to subsidize the education of nonresidents of the District of Columbia at the University of the District of Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for the fiscal year ending September 30, 1999, a tuition rate schedule that will establish the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan area.

HUMAN SUPPORT SERVICES

Human support services, $1,514,751,000 (including $614,679,000 from local funds, $886,682,000 from Federal funds, and $13,390,000 from other funds): *Provided,* That $21,089,000 of this appropriation, to remain available until expended, shall be available solely for District of Columbia employees' disability compensation: *Provided further,* That a peer review committee shall be established to review medical payments and the type of service received by a disability compensation claimant: *Provided further,* That the District of Columbia shall not provide free government services such as water, sewer, solid waste disposal or collection, utilities, maintenance, repairs, or similar services to any legally constituted private nonprofit organization, as defined in section 411(5) of the Stewart B. McKinney Homeless Assistance Act (Public Law 100–77; 42 U.S.C. 11371), providing emergency shelter services in the District, if the District would not be qualified to receive reimbursement pursuant to such Act (101 Stat. 485; Public Law 100–77; 42 U.S.C. 11301 et seq.).

PUBLIC WORKS

Public works, including rental of one passenger-carrying vehicle for use by the Mayor and three passenger-carrying vehicles for use by the Council of the District of Columbia and leasing of passenger-carrying vehicles, $266,912,000 (including $257,242,000 from local funds, $3,216,000 from Federal funds, and $6,454,000 from other funds): *Provided,* That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business.

WASHINGTON CONVENTION CENTER FUND TRANSFER PAYMENT

For payment to the Washington Convention Center, $5,400,000 from local funds.

REPAYMENT OF LOANS AND INTEREST

For reimbursement to the United States of funds loaned in compliance with An Act to provide for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia, approved August 7, 1946 (60 Stat. 896; Public Law 79–648); section 1 of An Act to authorize the Commissioners of the District of Columbia to borrow funds for capital improvement programs and to amend provisions of law relating to Federal Government participation in meeting costs of maintaining the Nation's Capital City, approved June 6, 1958 (72 Stat. 183; Public Law 85–451; D.C. Code, sec. 9–219); section 4 of An Act to authorize the Commissioners of the District of Columbia to plan, construct, operate, and maintain a sanitary sewer to connect the Dulles International Airport with the District of Columbia system, approved June 12, 1960 (74 Stat. 211; Public Law 86–515); sections 723 and 743(f) of the District of Columbia Home Rule Act, approved December 24, 1973, as amended (87 Stat. 821; Public Law 93–198; D.C. Code, sec. 47–321, note; 91 Stat. 1156; Public Law 95–131; D.C. Code, sec. 9–219, note), including interest as required thereby, $382,170,000 from local funds.

REPAYMENT OF GENERAL FUND RECOVERY DEBT

For the purpose of eliminating the $331,589,000 general fund accumulated deficit as of September 30, 1990, $38,453,000 from local funds, as authorized by section 461(a) of the District of Columbia Home Rule Act, approved December 24, 1973, as amended (105 Stat. 540; Public Law 102–106; D.C. Code, sec. 47–321(a)(1)).

PAYMENT OF INTEREST ON SHORT-TERM BORROWING

For payment of interest on short-term borrowing, $11,000,000.

CERTIFICATES OF PARTICIPATION

For lease payments in accordance with the Certificates of Participation involving the land site underlying the building located at One Judiciary Square, $7,926,000.

HUMAN RESOURCES DEVELOPMENT

For human resources development, $6,674,000.

PRODUCTIVITY SAVINGS

The Chief Financial Officer of the District of Columbia shall, under the direction of the District of Columbia Financial Responsibility and Management Assistance Authority, make reductions of $10,000,000 in local funds to one or more of the appropriation headings in this Act for productivity savings.

RECEIVERSHIP PROGRAMS

For agencies of the District of Columbia government under court ordered receivership, $318,979,000 (including $188,439,000 from local funds, $96,691,000 from Federal funds, and $33,849,000 from other funds).

DISTRICT OF COLUMBIA FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHORITY

For the District of Columbia Financial Responsibility and Management Assistance Authority, established by section 101(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 97; Public Law 104–8), $7,840,000: *Provided,* That none of the funds contained in this Act may be used to pay the compensation of the Executive Director or General Counsel of the Authority during any period after April 1, 1999, for which such individual has not repaid the Treasury of the District of Columbia for compensation paid during any fiscal year which is determined by the Comptroller General (as described in GAO letter report B–279095.2) to have been paid in excess of the maximum rate of compensation which may be paid to such individual during such year under section 102 of such Act: *Provided further,* That none of the funds contained in this Act may be used to pay any compensation of the Executive Director or General Counsel of the Authority at a rate in excess of the maximum rate of compensation which may be paid to such individual during fiscal year 1999 under section 102 of such Act, as determined by the Comptroller General (as described in GAO letter report B–279095.2): *Provided further,* That not later than 5 calendar days after the end of each month (beginning with September 1998), the Authority shall provide to the Chief Financial Officer of the District of Columbia a statement of the balance of each account held by the Authority as of the end of the month, together with a description of the activities within each such account during the month: *Provided further,* That none of the funds contained in this or any other Act may be used to pay the salary or expenses of any officer or employee of the Authority who is required to provide information under the preceding proviso and who fails to provide such information in accordance with such proviso.

WATER AND SEWER AUTHORITY AND THE WASHINGTON AQUEDUCT

For the Water and Sewer Authority and the Washington Aqueduct, $273,314,000 from other funds (including $239,493,000 for the Water and Sewer Authority and $33,821,000 for the Washington Aqueduct) of which $39,933,000 shall be apportioned and payable to the District's debt service fund for repayment of loans and interest incurred for capital improvement projects.

LOTTERY AND CHARITABLE GAMES CONTROL BOARD

For the Lottery and Charitable Games Control Board, established by the District of Columbia Appropriation Act for the fiscal year ending September 30, 1982, approved December 4, 1981 (95 Stat. 1174, 1175; Public Law 97–91), as amended, for the purpose of implementing the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3–172; D.C. Code, secs. 2–2501 et seq. and 22–1516 et seq.), $225,200,000: *Provided,* That the District of Columbia shall identify the source of funding for this appropriation title from the District's own locally generated revenues: *Provided further,* That no revenues from Federal sources shall be used to support the operations or activities of the Lottery and Charitable Games Control Board.

CABLE TELEVISION ENTERPRISE FUND

For the Cable Television Enterprise Fund, established by the Cable Television Communications Act of 1981, effective October 22, 1983 (D.C. Law 5–36; D.C. Code, sec. 43–1801 et seq.), $2,108,000 from other funds.

PUBLIC SERVICE COMMISSION

For the Public Service Commission, $5,026,000 (including $252,000 from Federal funds and $4,774,000 from other funds).

OFFICE OF THE PEOPLE'S COUNSEL

For the Office of the People's Counsel, $2,501,000 from other funds.

DEPARTMENT OF INSURANCE AND SECURITIES REGULATION

For the Department of Insurance and Securities Regulation, $7,001,000 from other funds.

OFFICE OF BANKING AND FINANCIAL INSTITUTIONS

For the Office of Banking and Financial Institutions, $640,000 (including $390,000 from local funds and $250,000 from other funds).

STARPLEX FUND

For the Starplex Fund, $8,751,000 from other funds for expenses incurred by the Armory Board in the exercise of its powers granted by An Act To Establish A District of Columbia Armory Board, and for other purposes, approved June 4, 1948 (62 Stat. 339; D.C. Code, sec. 2–301 et seq.) and the District of Columbia Stadium Act of 1957, approved September 7, 1957 (71 Stat. 619; Public Law 85–300; D.C. Code, sec. 2–321 et seq.): *Provided,* That the Mayor shall submit a budget for the Armory Board for the forthcoming fiscal year as required by section 442(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 824; Public Law 93–198; D.C. Code, sec. 47–301(b)).

D.C. GENERAL HOSPITAL (PUBLIC BENEFIT CORPORATION)

For the District of Columbia General Hospital, established by Reorganization Order No. 57 of the Board of Commissioners, effective August 15, 1953, $113,599,000 of which $46,835,000 shall be derived by transfer from the general fund, and $66,764,000 shall be derived from other funds.

D.C. RETIREMENT BOARD

For the D.C. Retirement Board, established by section 121 of the District of Columbia Retirement Reform Act of 1979, approved November 17, 1979 (93 Stat. 866; D.C. Code, sec. 1–711), $18,202,000 from the earnings of the applicable retirement funds to pay legal, management, investment, and other fees and administrative expenses of the District of Columbia Retirement Board: *Provided,* That the District of Columbia Retirement Board shall provide to the Congress and to the Council of the District of Columbia a quarterly report of the allocations of charges by fund and of expenditures of all funds: *Provided further,* That the District of Columbia Retirement Board shall provide the Mayor, for transmittal to the Council of the District of Columbia, an itemized accounting of the planned use of appropriated funds in time for each annual budget submission and the actual use of such funds in time for each annual audited financial report.

CORRECTIONAL INDUSTRIES FUND

For the Correctional Industries Fund, established by the District of Columbia Correctional Industries Establishment Act, approved October 3, 1964 (78 Stat. 1000; Public Law 88–622), $3,332,000 from other funds.

WASHINGTON CONVENTION CENTER ENTERPRISE FUND

For the Washington Convention Center Enterprise Fund, $53,539,000, of which $5,400,000 shall be derived by transfer from the general fund.

CAPITAL OUTLAY

(INCLUDING RESCISSIONS)

For construction projects, a net increase of $1,711,160,737 (including a rescission of $114,430,742 of which $24,437,811 is from local funds and $89,992,931 is from highway trust funds appropriated under this heading in prior fiscal years, and an additional $1,825,591,479 of which $718,234,161 is from local funds, $24,452,538 is from the highway trust fund, and $1,082,904,780 is from Federal funds), to remain available until expended: *Provided,* That funds for use of each capital project implementing agency shall be managed and controlled in accordance with all procedures and limitations established under the Financial Management System: *Provided further,* That all funds provided by this appropriation title shall be available only for the specific projects and purposes intended: *Provided further,* That notwithstanding the foregoing, all authorizations for capital outlay projects, except those projects covered by the first sentence of section 23(a) of the Federal-Aid Highway Act of 1968, approved August 23, 1968 (82 Stat. 827; Public Law 90–495; D.C. Code, sec. 7–134, note), for which funds are provided by this appropriation title, shall expire on September 30, 2000, except authorizations for projects as to which funds have been obligated in whole or in part prior to September 30, 2000: *Provided further,* That upon expiration of any such project authorization the funds provided herein for the project shall lapse.

Mr. TAYLOR of North Carolina (during the reading). Mr. Chairman, I ask unanimous consent that the bill through page 28, line 7, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The CHAIRMAN. Are there any amendments to that portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

GENERAL PROVISIONS

SEC. 101. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant

to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 102. Except as otherwise provided in this Act, all vouchers covering expenditures of appropriations contained in this Act shall be audited before payment by the designated certifying official and the vouchers as approved shall be paid by checks issued by the designated disbursing official.

SEC. 103. Whenever in this Act, an amount is specified within an appropriation for particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount that may be expended for said purpose or object rather than an amount set apart exclusively therefor.

SEC. 104. Appropriations in this Act shall be available, when authorized by the Mayor, for allowances for privately owned automobiles and motorcycles used for the performance of official duties at rates established by the Mayor: *Provided*, That such rates shall not exceed the maximum prevailing rates for such vehicles as prescribed in the Federal Property Management Regulations 101–7 (Federal Travel Regulations).

SEC. 105. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Mayor: *Provided,* That the Council of the District of Columbia and the District of Columbia Courts may expend such funds without authorization by the Mayor.

SEC. 106. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of judgments that have been entered against the District of Columbia government: *Provided,* That of such appropriations, the District of Columbia is directed to refund by September 30, 1999, up to $17,800,000 of overpayments collected by the District of Columbia Department of Public Works for parking ticket violations as reported by the District of Columbia Auditor in a report dated March 19, 1998: *Provided further*, That nothing contained in this section shall be construed as modifying or affecting the provisions of section 11(c)(3) of title XII of the District of Columbia Income and Franchise Tax Act of 1947, approved March 31, 1956 (70 Stat. 78; Public Law 84–460; D.C. Code, sec. 47–1812.11(c)(3)).

SEC. 107. Appropriations in this Act shall be available for the payment of public assistance without reference to the requirement of section 544 of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4–101; D.C. Code, sec. 3–205.44), and for the non-Federal share of funds necessary to qualify for Federal assistance under the Juvenile Delinquency Prevention and Control Act of 1968, approved July 31, 1968 (82 Stat. 462; Public Law 90–445; 42 U.S.C. 3801 et seq.).

SEC. 108. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 109. No funds appropriated in this Act for the District of Columbia government for the operation of educational institutions, the compensation of personnel, or for other educational purposes may be used to permit, encourage, facilitate, or further partisan political activities. Nothing herein is intended to prohibit the availability of school buildings for the use of any community or partisan political group during non-school hours.

SEC. 110. None of the funds appropriated in this Act shall be made available to pay the salary of any employee of the District of Columbia government whose name, title, grade, salary, past work experience, and salary history are not available for inspection by the House and Senate Committees on Appropriations, the Subcommittee on the District of Columbia of the House Committee on Government Reform and Oversight, the Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia of the Senate Committee on Governmental Affairs, and the Council of the District of Columbia, or their duly authorized representative.

SEC. 111. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making payments authorized by the District of Columbia Revenue Recovery Act of 1977, effective September 23, 1977 (D.C. Law 2–20; D.C. Code, sec. 47–421 et seq.).

SEC. 112. No part of this appropriation shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

SEC. 113. At the start of the fiscal year, the Mayor shall develop an annual plan, by quarter and by project, for capital outlay borrowings: *Provided,* That within a reasonable time after the close of each quarter, the Mayor shall report to the Council of the District of Columbia and the Congress the actual borrowings and spending progress compared with projections.

SEC. 114. The Mayor shall not borrow any funds for capital projects unless the Mayor has obtained prior approval from the Council of the District of Columbia, by resolution, identifying the projects and amounts to be financed with such borrowings.

SEC. 115. The Mayor shall not expend any moneys borrowed for capital projects for the operating expenses of the District of Columbia government.

SEC. 116. None of the funds appropriated by this Act may be obligated or expended by reprogramming except pursuant to advance approval of the reprogramming granted according to the procedure set forth in the Joint Explanatory Statement of the Committee of Conference (House Report No. 96–443), which accompanied the District of Columbia Appropriation Act, 1980, approved October 30, 1979 (93 Stat. 713; Public Law 96–93), as modified in House Report No. 98–265, and in accordance with the Reprogramming Policy Act of 1980, effective September 16, 1980 (D.C. Law 3–100; D.C. Code, sec. 47–361 et seq.): *Provided,* That for the fiscal year ending September 30, 1999 the above shall apply except as modified by Public Law 104–8.

SEC. 117. None of the Federal funds provided in this Act shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of the District of Columbia.

SEC. 118. None of the Federal funds provided in this Act shall be obligated or expended to procure passenger automobiles as defined in the Automobile Fuel Efficiency Act of 1980, approved October 10, 1980 (94 Stat. 1824; Public Law 96–425; 15 U.S.C. 2001(2)), with an Environmental Protection Agency estimated miles per gallon average of less than 22 miles per gallon: *Provided,* That this section shall not apply to security, emergency rescue, or armored vehicles.

SEC. 119. (a) Notwithstanding section 422(7) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 790; Public Law 93–198; D.C. Code, sec. 1–242(7)), the City Administrator shall be paid, during any fiscal year, a salary at a rate established by the Mayor, not to exceed the rate established for level IV of the Executive Schedule under 5 U.S.C. 5315.

(b) For purposes of applying any provision of law limiting the availability of funds for payment of salary or pay in any fiscal year, the highest rate of pay established by the Mayor under subsection (a) of this section for any position for any period during the last quarter of calendar year 1998 shall be deemed to be the rate of pay payable for that position for September 30, 1998.

(c) Notwithstanding section 4(a) of the District of Columbia Redevelopment Act of 1945, approved August 2, 1946 (60 Stat. 793; Public Law 79–592; D.C. Code, sec. 5–803(a)), the Board of Directors of the District of Columbia Redevelopment Land Agency shall be paid, during any fiscal year, per diem compensation at a rate established by the Mayor.

SEC. 120. Notwithstanding any other provisions of law, the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2–139; D.C. Code, sec. 1–601.1 et seq.), enacted pursuant to section 422(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 790; Public Law 93–198; D.C. Code, sec. 1–242(3)), shall apply with respect to the compensation of District of Columbia employees: *Provided,* That for pay purposes, employees of the District of Columbia government shall not be subject to the provisions of title 5, United States Code.

SEC. 121. The Director of the Office of Property Management may pay rentals and repair, alter, and improve rented premises, without regard to the provisions of section 322 of the Economy Act of 1932 (Public Law 72–212; 40 U.S.C. 278a), based upon a determination by the Director, that by reason of circumstances set forth in such determination, the payment of these rents and the execution of this work, without reference to the limitations of section 322, is advantageous to the District in terms of economy, efficiency, and the District's best interest.

SEC. 122. No later than 30 days after the end of the first quarter of the fiscal year ending September 30, 1999, the Mayor of the District of Columbia shall submit to the Council of the District of Columbia the new fiscal year 1999 revenue estimates as of the end of the first quarter of fiscal year 1999. These estimates shall be used in the budget request for the fiscal year ending September 30, 2000. The officially revised estimates at midyear shall be used for the midyear report.

SEC. 123. No sole source contract with the District of Columbia government or any agency thereof may be renewed or extended without opening that contract to the competitive bidding process as set forth in section 303 of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6–85; D.C. Code, sec. 1–1183.3), except that the District of Columbia government or any agency thereof may renew or extend sole source contracts for which competition is not feasible or practical: *Provided,* That the determination as to whether to invoke the competitive bidding process has been made in accordance with duly promulgated rules and procedures and said determination has been reviewed and approved by the District of Columbia Financial Responsibility and Management Assistance Authority.

SEC. 124. For purposes of the Balanced Budget and Emergency Deficit Control Act of 1985, approved December 12, 1985 (99 Stat. 1037; Public Law 99–177), as amended, the term ''program, project, and activity'' shall be synonymous with and refer specifically to each account appropriating Federal funds in this Act, and any sequestration order shall be applied to each of the accounts rather

than to the aggregate total of those accounts: *Provided*, That sequestration orders shall not be applied to any account that is specifically exempted from sequestration by the Balanced Budget and Emergency Deficit Control Act of 1985, approved December 12, 1985 (99 Stat. 1037; Public Law 99–177), as amended.

SEC. 125. In the event a sequestration order is issued pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, approved December 12, 1985 (99 Stat. 1037: Public Law 99–177), as amended, after the amounts appropriated to the District of Columbia for the fiscal year involved have been paid to the District of Columbia, the Mayor of the District of Columbia shall pay to the Secretary of the Treasury, within 15 days after receipt of a request therefor from the Secretary of the Treasury, such amounts as are sequestered by the order: *Provided*, That the sequestration percentage specified in the order shall be applied proportionately to each of the Federal appropriation accounts in this Act that are not specifically exempted from sequestration by the Balanced Budget and Emergency Deficit Control Act of 1985, approved December 12, 1985 (99 Stat. 1037; Public Law 99–177), as amended.

SEC. 126. (a) An entity of the District of Columbia government may accept and use a gift or donation during fiscal year 1999 if—

(1) the Mayor approves the acceptance and use of the gift or donation, except that the Council of the District of Columbia may accept and use gifts without prior approval by the Mayor; and

(2) the entity uses the gift or donation to carry out its authorized functions or duties.

(b) Each entity of the District of Columbia government shall keep accurate and detailed records of the acceptance and use of any gift or donation under subsection (a) of this section, and shall make such records available for audit and public inspection.

(c) For the purposes of this section, the term ''entity of the District of Columbia government'' includes an independent agency of the District of Columbia.

(d) This section shall not apply to the District of Columbia Board of Education, which may, pursuant to the laws and regulations of the District of Columbia, accept and use gifts to the public schools without prior approval by the Mayor.

SEC. 127. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979, effective March 10, 1981 (D.C. Law 3–171; D.C. Code, sec. 1–113(d)).

SEC. 128. The University of the District of Columbia shall submit to the Congress, the Mayor, the District of Columbia Financial Responsibility and Management Assistance Authority, and the Council of the District of Columbia no later than fifteen (15) calendar days after the end of each month a report that sets forth—

(1) current month expenditures and obligations, year-to-date expenditures and obligations, and total fiscal year expenditure projections versus budget broken out on the basis of control center, responsibility center, and object class, and for all funds, non-appropriated funds, and capital financing;

(2) a list of each account for which spending is frozen and the amount of funds frozen, broken out by control center, responsibility center, detailed object, and for all funding sources;

(3) a list of all active contracts in excess of $10,000 annually, which contains the name of each contractor; the budget to which the contract is charged, broken out on the basis of control center and responsibility center, and contract identifying codes used by the University of the District of Columbia; payments made in the last month and year-to-date, the total amount of the contract and total payments made for the contract and any modifications, extensions, renewals; and specific modifications made to each contract in the last month;

(4) all reprogramming requests and reports that have been made by the University of the District of Columbia within the last month in compliance with applicable law; and

(5) changes made in the last month to the organizational structure of the University of the District of Columbia, displaying previous and current control centers and responsibility centers, the names of the organizational entities that have been changed, the name of the staff member supervising each entity affected, and the reasons for the structural change.

SEC. 129. Funds authorized or previously appropriated to the government of the District of Columbia by this or any other Act to procure the necessary hardware and installation of new software, conversion, testing, and training to improve or replace its financial management system are also available for the acquisition of accounting and financial management services and the leasing of necessary hardware, software or any other related goods or services, as determined by the District of Columbia Financial Responsibility and Management Assistance Authority.

SEC. 130. (a) None of the funds contained in this Act may be made available to pay the fees of an attorney who represents a party who prevails in an action brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) if—

(1) the hourly rate of compensation of the attorney exceeds the hourly rate of compensation under section 11–2604(a), District of Columbia Code; or

(2) the maximum amount of compensation of the attorney exceeds the maximum amount of compensation under section 11–2604(b)(1), District of Columbia Code, except that compensation and reimbursement in excess of such maximum may be approved for extended or complex representation in accordance with section 11–2604(c), District of Columbia Code.

(b) None of the funds contained in this Act may be made available to pay the fees of an attorney who represents a party who prevails in an administrative proceeding under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

SEC. 131. None of the funds contained in this Act may be available for the operations of any department, agency, or entity (other than the District of Columbia Water and Sewer Authority, the Washington Convention Center Authority, or any operations for borrowing activities under part E of title IV of the District of Columbia Home Rule Act) unless appropriated by Congress in an annual appropriations Act.

Mr. TAYLOR of North Carolina (during the reading). Mr. Chairman, I ask unanimous consent that the bill, through page 42, line 2, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The CHAIRMAN. Are there any amendments to that portion of the bill?

POINT OF ORDER

Mr. DAVIS of Virginia. Mr. Chairman, I rise to make a point of order.

The CHAIRMAN. The gentleman from Virginia will state his point of order.

Mr. DAVIS of Virginia. Pursuant to clause 2 of rule XXI, I make a point of order against Section 131 of the bill on the ground that it legislates on an appropriation bill.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

Mr. TAYLOR of North Carolina. Mr. Chairman, I wish to be heard on the point of order.

The CHAIRMAN. The gentleman from North Carolina (Mr. TAYLOR) is recognized.

Mr. TAYLOR of North Carolina. Mr. Chairman, I believe that this is not legislating. It is not subject to a point of order. The Board wishes to spend and does spend interest earned on the money that it has without this body's appropriating it. It would be somewhat analogous to the Treasurer of the United States investing money of the people of the United States, and then stating that he, himself, could spend that money without it being appropriated by the people of the United States.

So I do not believe that this is subject to a point of order.

The CHAIRMAN. The gentleman from Virginia (Mr. DAVIS) makes a point of order against Section 131. Section 131 precludes the use of funds contained in this act unless appropriated.

Because the funds contained in the Act include funds derived from transfer or from interest on District accounts, Section 131 is in direct contravention of Section 106(d) of the District of Columbia Responsibility Management Assistance Act. Section 106(d) permits the use of such funds without congressional approval.

Accordingly, the point of order is sustained, and Section 131 is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 132. None of the funds appropriated under this Act shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

AMENDMENT NO. 2 OFFERED BY MS. NORTON

Ms. NORTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Ms. NORTON:

Page 42, line 3, strike ''funds'' and insert ''Federal funds''.

Mr. TAYLOR of North Carolina. Mr. Chairman, I ask unanimous consent that all debates on this amendment and all amendments thereto close in 30 minutes, and that the time be equally divided among the parties.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The CHAIRMAN. The time will be designated equally for 30 minutes between the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from North Carolina (Mr. TAYLOR).

The Chair recognizes the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, the present bill contains language barring the use of both Federal and District funds to pay for abortion services for low-income women. I do not rise to ask for an exception to the strongly-held views of this Congress on abortion. I ask only that the District of Columbia be treated no better and no worse than other districts.

I must accept that the rule of this body on a prohibition on Federal funds should yield to no exception, except in the case of protecting the life of the mother, rape, or incest.

Barring the use of Federal funds for abortion for low-income women creates a special hardship for a jurisdiction that has been in financial crisis. Considering its financial position, the District is unlikely to choose to fund abortions on its own.

However, no city should be put in the position where it would be unable to respond even to catastrophic pregnancies by using its own locally-raised funds, if necessary. This is a Federal Republic built on the premise that there are vast differences among us. No issue shows these differences more than reproductive choice.

The Congress is within its rights to say, use your funds, not ours. It is out of line when it tells a local jurisdiction how to spend its own taxpayers' funds. The real test of democracy is whether we are prepared to allow others to make lawful choices we ourselves would not make.

I have profound respect for the conscientious and religious scruples of those who oppose abortion. The District has the right to the same respect. I ask Members to allow the District to spend its own local funds as it may need for abortions for indigent women.

Mr. Chairman, I reserve the balance of my time.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I thank the gentleman for yielding me the time. I want to thank Mr. TAYLOR for his courage and leadership, and especially his compassion, in including this very important amendment that will prevent the use of all public funds, taxpayer funds, whether they be Federal or locally-raised, but all of which are under the jurisdiction of the Congress and so under the jurisdiction of the United States Constitution. Thank you, Mr. Chairman, for taking the lead in ensuring that the legislation you have brought to the floor will in no way put unborn children at risk.

It will save lives.

Let me remind Members, when this provision was not in effect, the District of Columbia used to perform, with public funds, taxpayer funds, something on the order of over 3,000 abortions every year.

□ 1800

All you have to do is open up the phone book and you see that many of the organizations, like Planned Parenthood and others, are doing abortions right up to the 24th week, 24 weeks! These are precious babies, worthy of respect. Rather than killing children, our debate ought to be how we can best mitigate disease or do microsurgery, to treat that baby as a patient rather than something that is to be destroyed like a tumor or something that is unwanted.

Unwantedness makes children objects—throwaways.

Let me remind my colleagues, I think it cannot be said enough, abortion is child abuse. One of these days my friends on the other side of this issue are going to take the time, and I think for a few that has already begun, at least to some extent, with the partial-birth abortion debate. For the first time, Americans—Members of Congress— are taking the time to recognize that it is the deed that we are talking about. Abortion is a violent act. Dismembering an unborn child by literally taking off and hacking off the arms and the legs and even the head, that is not a benign or a compassionate act. It is child abuse. It is violence.

If you dismembered a child after he or she were born, you would rightfully be brought up on charges of abusing children. A child before birth is no less human and no less alive. Yes, he or she happens to be dependent and they are less mature than a newborn infant or toddler, but they are no less human.

I truly believe that the abortion issue, the respect for unborn children is the ultimate human rights issue. I have been in Congress for 18 years. I work day and night, my Subcommittee on International Operations and Human Rights is the lead committee in Congress on human rights. We have had about 70 or more hearings since I assumed the chair on Indonesia, China, Cuba, Turkey, Iraq to name a few, promoting human rights.

Human rights are dear to my heart. Respect for life is of surpassing importance. The right to life is the most elemental of all human rights. And to arbitrarily say that birth, which is only an event that happens to each and every one of us, it is not the beginning of life, and to say that just because the baby is in utero, just because the baby is seemingly out of sight, although even that has changed with ultrasound and sonograms. Now we can see. My wife and I have four children. We saw our children before birth moving, doing somersaults. That is a common occurrence now. So anyone who clings to the dark ages myth that somehow an unborn child is not a human being really needs to update their sources and undergo a reality check.

Let me also focus for a moment on some other abortion methods, which are also acts of violence against children. These are used in the District of Columbia because they are used elsewhere in the later term. Consider the abomination called salting out, injecting high concentrated salt solutions or other poisons into later term babies so as to procure their death, a very silent but painful death, I would add, it usually takes about two hours.

I say to my friends on the other side of the issue, once that salt is pumped into the amniotic fluid and the baby breathes it in, because babies do breathe in the amniotic fluid to develop the organs of respiration, that salt has a corrosive effect and chemically poisons and ultimately kills the infant. The salt solution goes to the brain and other parts of the body, stops the heart and badly burns the skin of the baby.

Without the Taylor amendment, without what the distinguished chairman has done in his committee, we will subsidize these violent acts against children. Abortion on demand would be subsidized by the public, by the taxpayers, by monies over which this Congress has a right and, I would argue, a duty to manifest a concern about.

If we have an opportunity to stand up and save just one child, it is worth it. No one should so callously mistreat and murder kids.

When you realize that abortion methods are routinely employed that destroy and maim yet are sanitized by the men and women in white coats, good people on the other side of this issue who I think will get it some day. Some day they are going to wake up and say, my God, what kind of Holocaust have we participated in. Why did we fail to see? Nationwide the body count is over 36 million and counting.

When you subsidize abortion, the predictable consequence is that more children do end up dying. The United States and other countries that are part of the abortion culture are missing kids. They are the lost generation—kids who will never play soccer or baseball or even take a first step. When this prohibition on funding went into effect, we went from over 3000 subsidized abortions per year in the district down to 1. This amendment has been in effect almost continuously since the early 1980s—thanks to Bob Dornan and now, Mr. TAYLOR—and it has saved children's lives.

I just strongly urge a no vote on the Norton amendment. It is a pro-abortion anti-life amendment. It will subsidize the slaughter of unborn children.

Ms. NORTON. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, this is not and should not be a debate necessarily about the act itself. We all know where some of our colleagues

stand on the issue. We know that they take every opportunity to remind us of where they stand on the issue. We certainly do not need to be reminded about how special the birth of a child is. We are mothers.

He has got four; I have got two. Most of us have children. We did not watch somebody else's child being born. We watched our own children being born. So we do not need to be told about that.

This is about local control. This is about the District of Columbia that is being trampled on by my friends on the other side of the aisle. This is about the District of Columbia using its own funds, not Federal money, for poor women.

This, again, is about whether or not the Congress of the United States is going to not only exercise its will but simply run over these citizens and deny them the ability to use their own taxpayer dollars for those services that they deem important and necessary.

This is about local control. It has been said over and over again, local control is fine when it acts in ways that some want it to act, but they do not like it so much when people are providing services they do not like.

This District deserves more respect than it is being given. There is something strange about power. Really powerful people really do understand how to use power. You never, ever step on folks simply because you have the power to do it. I think this is an abuse of power.

The Members of this House who would deny the District the ability to be in control of the decisions about its own dollars are disrespecting and abusing the citizens. Local control, that is what this is all about, not all of the abortion arguments that are being brought in at this time.

Let us ask the gentleman who just raised the question, what happens in his own State? I believe they have State-funded abortions. Why does he not spend his time there trying to deny? They would run him out of town. That is why he cannot do it there. But he can come here with the majority, because they have got more votes, and they can step on this District, and that is precisely what is happening.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Chairman, I rise in opposition to the Norton amendment to the D.C. appropriations bill. The amendment would gut the abortion funding ban that has been in place in D.C. appropriations for the past 3 years. Although the gentlewoman might claim that her amendment simply inserts the word ''Federal'' so that the ban would still be in effect if her amendment were passed, in reality the Norton amendment places no limitations on the use of D.C. revenues to pay for abortion on demand.

In 1994 and 1995, when then Mayor Sharon Pratt Kelly announced that the District would start paying for abortions on demand, she then authorized the use of $1 million from the Medical Charities Fund which was intended to help poor AIDs patients to pay for abortions. So instead of helping AIDs patients who were in need to live longer healthier lives, the District chose to use those funds to abort babies.

Then the District could request more Federal funds to make up for the money they had taken out of the Medical Charities Fund. This type of bookkeeping is wrong. It is a misuse of funds. It is deceptive.

We have a responsibility. We cannot shirk our responsibility to D.C. residents. Article I, section 8 of the Constitution authorizes Congress to exercise exclusive legislation in all cases whatsoever over the District of Columbia.

Further, Public Law 93–198, commonly known as the home rule law, charges Congress with the responsibility for the appropriations of all funds for our Nation's capital.

We are morally responsible for how taxpayer funds are spent in D.C., all funds, not just Federal funds, as the gentlewoman from the District of Columbia (Ms. NORTON) may argue. It is our responsibility not to use any taxpayer dollars to fund abortion on demand in the District of Columbia. I urge a no vote on the Norton amendment.

Ms. NORTON. Mr. Chairman, I yield 2 minutes to the gentlewoman from Oregon (Ms. FURSE).

Ms. FURSE. Mr. Chairman, a couple of things that maybe Members are not quite clear about, first of all, abortion is legal in this country. That is the first thing.

Secondly, how dare Members talk about women making these choices in that derogatory fashion. Have they gone through this decision? I have. I have. How dare they make those disgusting statements.

How many of these Members who are going to vote against this amendment pay taxes in the District of Columbia? I would like to know that. I pay taxes in the District of Columbia. I own a home in the District of Columbia. I am proud to live in the District of Columbia. I do not live outside of the District. I live right here. My property taxes, they should be used by the District.

If you are very, very upset about the death of children, I would suggest you get on the floor and talk about the 10 kids a day who die from gunshot wounds. I have not seen you out here talking about gun control, 10 kids a day. Not children in utero, live children.

So I think that this is absolutely a terrific amendment. Remember, again, that abortion is legal. You may not like it. I bet there are lots of things you do not like about what is legal. But it is legal. If you are not a taxpayer, I do not think you have anything to say about this. I am a taxpayer in the District of Columbia. I think the District should use its funds for something that is legal.

I will support the gentlewoman's amendment, and I would suggest that Members keep their hands out of the District of Columbia as much as possible.

Mr. TAYLOR of North Carolina. Mr. Chairman, I reserve the balance of my time.

Ms. NORTON. Mr. Chairman, may I inquire as to how much time remains?

The CHAIRMAN. The gentlewoman from the District of Columbia (Ms. NORTON) has 9½ minutes remaining, and the gentleman from North Carolina (Mr. TAYLOR) has 7 minutes remaining.

Ms. NORTON. Mr. Chairman, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me thank the gentlewoman for allowing me this time.

I was in my office and I was watching this debate. I thought it was appropriate to come and maybe set the record straight.

I do not take issue with the passion of those on the other side of the aisle who speak about these issues of abortion in the manner in which they speak. But I would ask America what the Constitution stands for. It stands for a representative democracy.

I happen to be against the position that this District of Columbia, with 600,000 or 700,000 Americans plus, cannot decide for themselves to use local funds to save the health of the mother. That is what is wrong with the Republicans' argument. They do not let you know that even if a mother's health was violated and she could not come forward and be fertile again because of the carrying of a child that may cause damage to her health or that was failing or a decision on that basis, even that could not be included under this position of the Republicans.

But what I have really come to say to America, Americans who live in California and New York, Houston, Texas or South Carolina, the gentlewoman from the District of Columbia (Ms. Norton), who comes here every single day to represent the constituents of this great capital, cannot vote, cannot stand for her constituents, denied by this Republican Congress.

How would you like it if your representative from California came here with an issue of concern needing more money for schools, needing more money for health care and your representative had no voice in this House?

□ 1815

How would my colleagues like it if adoptions in their State were made illegal? How would they like it if public schools were closed and only private schools could be supported, as amendments that we will see on this floor?

How would my colleagues like it if their State attorney general could not sue on behalf of the constituents of that great State?

This is a travesty. I am against what is going on in this House. The people of the District of Columbia are Americans as well. The gentlewoman deserves the right to vote and deserves the right to be respected in this House.

Ms. NORTON. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. MORAN), the ranking member.

Mr. MORAN of Virginia. Mr. Chairman, I thank the distinguished delegate from the District of Columbia for yielding me this time.

The 1980 Supreme Court decision entitled Harris v. McRea upheld the right of Congress to restrict the use of Federal funds to provide abortions to poor women, but it clearly asserted that State funds used to provide abortions for poor women is a State not a Federal decision. In fact, to quote, it said, ''A participating State is free, if it so chooses, to include in its own Medicaid plan those medically necessary abortions for which Federal reimbursement is unavailable.''

The District of Columbia has its own State Medicaid plan. It used this very language for medically necessary abortions. It really is wrong for us to be superimposing Federal will on a decision that may be a difficult one but really needs to be made by the duly-elected representatives of the citizens of the District of Columbia.

They made that decision because they understand that there are thousands of women in this city who do not have the resources to provide for their own medical care and do not have adequate insurance. Their only resort is the Medicaid program. So they set up a separate Medicaid program. No Federal funds. Local funds.

That is all the Norton amendment applies to. It does not affect the Hyde amendment, which applies in all 50 States and the District of Columbia. We do not do this to any other State.

And while the gentleman from New Jersey (Mr. SMITH) made a very good argument, I thought, with regard to late-term abortions, the reality is, from the studies that have been done, they have determined that most of those late-term abortions, certainly on the part of poor women, became late term because the women did not have the resources to fund an abortion early in the pregnancy when it was most appropriate and when the Supreme Court decision in Roe v. Wade expected them to be performed.

Ms. NORTON. May I inquire how much time I have remaining, Mr. Chairman?

The CHAIRMAN. The gentlewoman from the District of Columbia (Ms. NORTON) has 5½ minutes remaining and the gentleman from North Carolina (Mr. TAYLOR) has 7 minutes remaining.

Ms. NORTON. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. MCDERMOTT).

Mr. McDERMOTT. Mr. Chairman, here we are back at the same old stand. Women, if the Republican Congress has anything to say about it, will not have the right to choose. They found a place where they could pick on people who did not even have a representative who could vote, and so they have taken it away.

Now, anybody, as the gentlewoman from Oregon (Ms. FURSE) says, who has been through this knows what a difficult choice it is. It is even more difficult for a physician taking care of a patient who realizes that they cannot recommend the thing that ought to happen.

Now, can these women go to New York State and get an abortion? Well, if they have the money, they can. Can they go to Illinois; can they go to Indiana; can they go anywhere else? Yes, but they have to travel, 300, 400, 500, 600 miles away from their home, away from their physician, to have it done in some place all by themselves.

Why? Simply because the Republicans want to take it out on women. They want to make them have babies. And then we watch this Congress operate with welfare reform. We do not want to feed them. We do not want to take care of them. Poor women who say ''I am not prepared to have a baby'' or ''I am sick'' or ''It is going to cause a problem for me and my other children'' or whatever, they have to have a baby or they have to travel somewhere. Why? Simply because we say they cannot make their own decisions about their own existence. We, the Congress of the United States, from our far distant place will make the decision for them.

Now, California would not tolerate this. There would be an absolute uproar in this House. Or New York State, or anywhere. Texas, Florida, any of the States in these United States would not tolerate this, but we have this helpless bunch that do not have representation on this floor and we pick on them. That is wrong. We ought to adopt this amendment.

Ms. NORTON. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

(Ms. WOOLSEY asked and was given permission to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Chairman, I rise in strong support of the Norton amendment to the D.C. appropriations bill. Since the far right has controlled Congress, there have been a shameful 94 votes attacking abortion and family planning here on the floor. These are truly cynical and mean-spirited times.

This same Congress, these same leaders on the Republican side, tell us that they believe in local control. Yet when it comes to women, when it comes to the District of Columbia, suddenly the Federal Government is in control. Congress should be providing women with the tools to make good educated decisions about their reproductive health. Where is that support? Where is the support for family planning? Where is the support for educating youngsters and young women on how not to become pregnant in the first place?

The Norton amendment is fair and just and I urge my colleagues vote for it.

Ms. NORTON. Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Mrs. LOWEY).

(Mrs. LOWEY asked and was given permission to revise and extend her remarks.)

Mrs. LOWEY. Mr. Chairman, I thank the gentlewoman for yielding me this time, and I rise in strong support of the Norton amendment.

Once again this Congress is attempting to impose yet another restriction on women's reproductive choices. This bill would prevent the District of Columbia from using its own locally raised funds to provide poor women with abortions, as many States, including my home State of New York, have chosen to do. I strongly support the efforts of my colleague from the District of Columbia to remove this language and free the District from a restriction that has not and, indeed, cannot be placed on any State in this Nation.

So far this year the anti-choice forces of this Congress have prevented Federal employees, military women overseas, and women in prison from receiving abortion services. Now we are about to impose a restriction that would prevent the District from using locally raised revenues to pay for its needy citizens.

Make no mistake, if the anti-choice leadership of this body could restrict the use of local funds in the rest of the country, they would do so in a second. They are attempting to restrict these funds in D.C. because they can.

Ms. NORTON. Mr. Chairman, may I inquire how much time I have remaining?

The CHAIRMAN. The gentlewoman from the District of Columbia (Ms. NORTON) has 1½ minutes remaining.

Ms. NORTON. Mr. Chairman, I yield 1 minute to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Chairman, I thank the gentlewoman for yielding me this time, and I rise in support of the Norton amendment.

I just want to simplify the concept of the amendment. All it does is allow the District of Columbia to decide whether to use its own locally raised revenues to pay for Medicaid abortions, while still retaining the ban on the use of Federal funds for abortions, except in the cases of rape, incest, or to save the life of the mother.

The bill's language, without this amendment, in effect creates, in fact it cements into place a two-tiered health care system, prohibiting poor women from receiving the same reproductive health care services provided for other District women in their private health care plans.

Because of poverty and a lack of access to adequate health care services,

low-income women are more likely to experience high-risk pregnancies and the need for abortion services. The right to reproductive freedom is meaningless if access to the full range of services is denied.

All I say is let the District of Columbia decide, just like other States can make that same decision, to use their own locally raised revenues to pay for Medicaid abortions.

The CHAIRMAN. The gentleman from North Carolina (Mr. TAYLOR) has the right to close.

Ms. NORTON. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I am not asking for anything special for the District of Columbia. I am asking for what this body has already ceded to every other district in the country. District residents have decided this question. Cruel consequences could flow, unique consequences will surely flow, if the District does not have the right to spend its own money as it sees fit, the way every other district does.

Do not single the people I represent out. I ask my colleagues to not do to District residents what they cannot do to other Americans.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 7 minutes to the gentleman from Oklahoma (Mr. COBURN).

(Mr. COBURN asked and was given permission to revise and extend his remarks.)

Mr. COBURN. Mr. Chairman, I am happy to have this time to address this issue, and I would want the people who are proposing this amendment to know that there is no disrespect for me in their position and their thought on this. We just happen to differ a great deal on this issue.

I want to clarify something first. I want to read the U.S. Constitution to my colleagues. It says the Congress is to exercise exclusive legislation in all cases whatsoever over the seat of the government of the United States. It is absolute. It is unequivocal.

The gentlewoman from the District, in her opening comments, said that the real test of a democracy is whether or not we will allow someone to make a choice that we would not make. Well, I disagree with that statement. I think the real test of a democracy is whether or not it will stick with the moral base under which it was founded.

Abortion is a moral question. I understand what the Supreme Court has said. What the Supreme Court has said is wrong. It is wrong morally, it will always be held wrong morally.

We heard the gentlewoman from Oregon talking about this issue, and I know she made a mistake when she said it, but she said children in utero. And that is exactly what they are.

The Supreme Court, when they ruled in Roe v. Wade, they said they did not know when life began. But we do know, and we can now prove the presence of life. And we never get an answer to this question. In our country we define death as the absence of brain waves and the absence of a heartbeat. That is in all 50 States, all Territories and the District of Columbia.

Scientifically it is proven that at 19 days post conception there is a heartbeat. We can measure it. We can see it. At 41 days post conception we can measure the brain waves of our unborn children. Most women do not know they are pregnant when those two events have occurred. So we really are faced with a choice. Is our definition of death wrong, and are we not dead when we do not have a heartbeat or brain waves? Or are we not alive if we do have a heartbeat and brain waves?

The reason we are in this quagmire is because we have not addressed what abortion really is. Abortion is the making of one moral error because we have previously made a moral error.

□ 1830

Now, I know the people who believe in choice do not agree with that. And I respect that. But if we are going to continue to have the foundation of our society that is based on moral truth, we cannot disregard the fact that we can measure life.

I personally believe life begins at the moment that a sperm and an egg unite. I cannot prove it yet. Some day we will prove that and we will show that to the Supreme Court, and Roe v. Wade then will be meaningless.

In the meantime, we should do everything we can to protect the lives of those children in utero, as the gentlewoman from Oregon so rightly mentioned. We take great pains today to repair unborn babies. We spend great amounts of our money saving lives in utero, operating on children while they are still in their mother's womb.

How do I know this? Because I have been involved in it. I have delivered over 3,500 babies. I have seen every complication and I have seen the way we sometimes handle those complications by choosing death of the baby instead of what life is there.

It is not a lack of sensitivity on the part of the ''Republicans'' and the ''pro-life Democrats.'' It is a sensitivity to the very moral foundation under which our documents of democracy and our Republic were founded. As we abandon those moral principles, we abandon democracy.

I would urge my colleagues to vote down this amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, thank you for the opportunity to speak on this important amendment to H.R. 4380. Congresswoman NORTON has proposed an amendment to the D.C. Appropriations Act which will allow the use of local funds for women seeking abortions. The Appropriation Act itself prohibits the District from using any funds for abortions except to save the life of the woman in the case of rape or incest.

Since 1980, Congress has prohibited the use of federal funds appropriated to the District of Columbia for abortion services for low income women with the exception for life endangerment, rape and incest. This restriction on the ability of the District to use its own locally raised revenues for abortions usurps the prerogatives of the local D.C. government and tramples the rights of District residents. No other jurisdiction is told how to use it locally raised revenue.

The past restriction violates the 1980 Supreme Court decision Harris v. McRea which upheld the right of Congress to restrict the use of federal funds to provide abortions to poor women, but clearly asserted that State funds used to provide abortions for poor women is a state not a federal decision. This leaves a participating state as free if it so choose to include in its Medicaid plan those medically necessary abortions for which federal reimbursement is unavailable.

In the words of Rosann Wisman, executive director of Planned Parenthood of Metropolitan Washington, the women who come to the clinic have struggled with problems in their lives relating to jobs, education, marriage, drugs or crime which resulted in a grim existence—not only for themselves but for the children they have already borne. Those women deserve the option to choose an abortion by making a very personal choice not to bring a child into the world which they feel they can not provide sufficient emotional or financial support.

Congress must protect these women and allow the District of Columbia the same choice as all other states to use their own locally raised revenue for abortions.

Mr. NADLER. Mr. Chairman, I rise to support the Norton Amendment to the D.C. Appropriations bill which is now before us. I am strongly opposed to the bill without the Nortion amendment, as it singles out low-income women in D.C. and steals from them their right to choose. Many states provide for the women who were left out in the cold by the Hyde amendment, which limits the use of federal funds for abortion to instances in which the women is the victim of rape or incest, or in which the life of the mother is in danger. To use this body's control over funding for the District of Columbia to make a political point would be a disgrace.

Our control, as a Federal body, over the local spending of the District is unique. In no other instance do we wield such a discrete power over a locality's own discretionary funds. I find it curious that my colleagues, who purport to be so concerned with maintaining ''state's rights'', are willing to blatantly disregard local automony when it comes to the District of Columbia.

I urge all of my colleagues to support this amendment so that low-income women who reside in the District of Columbia may exercise their right to choose as women in many states can. I regret that I need to remind this body once again, that the women of America have the right to choose to have abortions. I urge my colleagues to support this amendment to restore the right of low-income women of D.C. to exert the same controls over their bodies which other women throughout America have.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON).

The question was taken; and the Chairman announced that the noes appeared to have it.

Ms. NORTON. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 517, further proceedings on

the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON) will be postponed.

The Clerk will read.

The Clerk read as follows:

SEC. 133. None of the funds made available in this Act may be used to implement or enforce the Health Care Benefits Expansion Act of 1992 (D.C. Law 9–114; D.C. Code, sec. 36–1401 et seq.) or to otherwise implement or enforce any system of registration of unmarried, cohabiting couples (whether homosexual, heterosexual, or lesbian), including but not limited to registration for the purpose of extending employment, health, or governmental benefits to such couples on the same basis that such benefits are extended to legally married couples.

SEC. 134. The Emergency Transitional Education Board of Trustees shall submit to the Congress, the Mayor, the District of Columbia Financial Responsibility and Management Assistance Authority, and the Council of the District of Columbia no later than fifteen (15) calendar days after the end of each month a report that sets forth—

(1) current month expenditures and obligations, year-to-date expenditures and obligations, and total fiscal year expenditure projections versus budget broken out on the basis of control center, responsibility center, agency reporting code, and object class, and for all funds, including capital financing;

(2) a list of each account for which spending is frozen and the amount of funds frozen, broken out by control center, responsibility center, detailed object, and agency reporting code, and for all funding sources;

(3) a list of all active contracts in excess of $10,000 annually, which contains the name of each contractor; the budget to which the contract is charged broken, out on the basis of control center, responsibility center, and agency reporting code; and contract identifying codes used by the D.C. Public Schools; payments made in the last month and year-to-date, the total amount of the contract and total payments made for the contract and any modifications, extensions, renewals; and specific modifications made to each contract in the last month;

(4) all reprogramming requests and reports that are required to be, and have been, submitted to the Board of Education; and

(5) changes made in the last month to the organizational structure of the D.C. Public Schools, displaying previous and current control centers and responsibility centers, the names of the organizational entities that have been changed, the name of the staff member supervising each entity affected, and the reasons for the structural change.

SEC. 135. (a) IN GENERAL.—The Emergency Transitional Education Board of Trustees of the District of Columbia and the University of the District of Columbia shall annually compile an accurate and verifiable report on the positions and employees in the public school system and the university, respectively. The annual report shall set forth—

(1) the number of validated schedule A positions in the District of Columbia public schools and the University of the District of Columbia for fiscal year 1998, fiscal year 1999, and thereafter on full-time equivalent basis, including a compilation of all positions by control center, responsibility center, funding source, position type, position title, pay plan, grade, and annual salary; and

(2) a compilation of all employees in the District of Columbia public schools and the University of the District of Columbia as of the preceding December 31, verified as to its accuracy in accordance with the functions that each employee actually performs, by control center, responsibility center, agency reporting code, program (including funding source), activity, location for accounting purposes, job title, grade and classification, annual salary, and position control number.

(b) SUBMISSION.—The annual report required by subsection (a) of this section shall be submitted to the Congress, the Mayor, the District of Columbia Council, the Consensus Commission, and the Authority, not later than February 15 of each year.

SEC. 136. (a) No later than October 1, 1998, or within 15 calendar days after the date of the enactment of this Act, which ever occurs later, and each succeeding year, the Emergency Transitional Education Board of Trustees and the University of the District of Columbia shall submit to the appropriate congressional committees, the Mayor, the District of Columbia Council, the Consensus Commission, and the District of Columbia Financial Responsibility and Management Assistance Authority, a revised appropriated funds operating budget for the public school system and the University of the District of Columbia for such fiscal year that is in the total amount of the approved appropriation and that realigns budgeted data for personal services and other-than-personal services, respectively, with anticipated actual expenditures.

(b) The revised budget required by subsection (a) of this section shall be submitted in the format of the budget that the Emergency Transition Education Board of Trustees and the University of the District of Columbia submit to the Mayor of the District of Columbia for inclusion in the Mayor's budget submission to the Council of the District of Columbia pursuant to section 442 of the District of Columbia Home Rule Act, Public Law 93–198, as amended (D.C. Code, sec. 47–301).

SEC. 137. The Emergency Transitional Education Board of Trustees, the Board of Trustees of the University of the District of Columbia, the Board of Library Trustees, and the Board of Governors of the University of the District of Columbia School of Law shall vote on and approve their respective annual or revised budgets before submission to the Mayor of the District of Columbia for inclusion in the Mayor's budget submission to the Council of the District of Columbia in accordance with section 442 of the District of Columbia Home Rule Act, Public Law 93–198, as amended (D.C. Code, sec. 47–301), or before submitting their respective budgets directly to the Council.

SEC. 138. (a) CEILING ON TOTAL OPERATING EXPENSES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 1999 under the caption ''Division of Expenses'' shall not exceed the lesser of—

(A) the sum of the total revenues of the District of Columbia for such fiscal year; or

(B) $5,216,689,000 (of which $132,912,000 shall be from intra-District funds and $2,865,763,000 shall be from local funds), which amount may be increased by the following:

(i) proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs approved by the District of Columbia Financial Responsibility and Management Assistance Authority; or

(ii) after notification to the Council, additional expenditures which the Chief Financial Officer of the District of Columbia certifies will produce additional revenues during such fiscal year at least equal to 200 percent of such additional expenditures, and that are approved by the Authority.

(2) RESERVE FUND.—To the extent that the sum of the total revenues of the District of Columbia for such fiscal year exceed the total amount provided for in paragraph (2)(B), the Chief Financial Officer of the District of Columbia, with the approval of the Authority, may credit up to ten percent (10%) of the amount of such difference, not to exceed $3,300,000, to a reserve fund which may be expended for operating purposes in future fiscal years, in accordance with the financial plans and budgets for such years.

(3) ENFORCEMENT.—The Chief Financial Officer of the District of Columbia and the Authority shall take such steps as are necessary to assure that the District of Columbia meets the requirements of this section, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 1999, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

(b) ACCEPTANCE AND USE OF GRANTS NOT INCLUDED IN CEILING.—

(1) IN GENERAL.—Notwithstanding subsection (a), the Mayor, in consultation with the Chief Financial Officer, during a control year, as defined in section 305(4) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (Public Law 104–8; 109 Stat. 152), may accept, obligate, and expend Federal, private, and other grants received by the District government that are not reflected in the amounts appropriated in this Act.

(2) REQUIREMENT OF CHIEF FINANCIAL OFFICER REPORT AND AUTHORITY APPROVAL.—No such Federal, private, or other grant may be accepted, obligated, or expended pursuant to paragraph (1) until—

(A) the Chief Financial Officer of the District of Columbia submits to the Authority a report setting forth detailed information regarding such grant; and

(B) the Authority has reviewed and approved the acceptance, obligation, and expenditure of such grant in accordance with review and approval procedures consistent with the provisions of the District of Columbia Financial Responsibility and Management Assistance Act of 1995.

(3) PROHIBITION ON SPENDING IN ANTICIPATION OF APPROVAL OR RECEIPT.—No amount may be obligated or expended from the general fund or other funds of the District government in anticipation of the approval or receipt of a grant under paragraph (2)(B) of this subsection or in anticipation of the approval or receipt of a Federal, private, or other grant not subject to such paragraph.

(4) MONTHLY REPORTS.—The Chief Financial Officer of the District of Columbia shall prepare a monthly report setting forth detailed information regarding all Federal, private, and other grants subject to this subsection. Each such report shall be submitted to the Council of the District of Columbia, and to the Committees on Appropriations of the House of Representatives and the Senate, not later than 15 days after the end of the month covered by the report.

(c) REPORT ON EXPENDITURES BY FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHORITY.—Not later than 20 calendar days after the end of each fiscal quarter starting October 1, 1998, the Authority shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Government Reform and Oversight of the House, and the Committee on Governmental Affairs of the Senate providing an itemized accounting of all non-appropriated funds obligated or expended by the Authority for the quarter. The report shall include information on the date, amount, purpose, and vendor name, and a description of the services or goods

provided with respect to the expenditures of such funds.

(d) APPLICATION OF EXCESS REVENUES.—Local revenues collected in excess of amounts required to support appropriations in this Act for operating expenses for the District of Columbia for fiscal year 1999 under the caption ''Division of Expenses'' shall be applied first to the elimination of the general fund accumulated deficit; second to a reserve account not to exceed $250,000,000 to be used to finance seasonal cash needs (in lieu of short term borrowings); third to accelerate repayment of cash borrowed from the Water and Sewer Fund; and fourth to reduce the outstanding long term debt.

SEC. 139. The District of Columbia Emergency Transitional Education Board of Trustees shall, subject to the contract approval provisions of the District of Columbia Financial Responsibility and Management Assistance Act of 1995 (Public Law 104–8)—

(1) develop a comprehensive plan to identify and accomplish energy conservation measures to achieve maximum cost-effective energy and water savings;

(2) enter into innovate financing and contractual mechanisms including, but not limited to, utility demand-side management programs, and energy savings performance contracts and water conservation performance contracts so long as the terms of such contracts do not exceed 25 years; and

(3) permit and encourage each department or agency and other instrumentality of the District of Columbia to participate in programs conducted by any gas, electric or water utility of the management of electricity or gas demand or for energy or water conservation.

SEC. 140. (a) Notwithstanding any other provision of law, rule, or regulation, an employee of the District of Columbia public schools shall be—

(1) classified as an Educational Service employee;

(2) placed under the personnel authority of the Board of Education; and

(3) subject to all Board of Education rules.

(b) School-based personnel shall constitute a separate competitive area from nonschool-based personnel who shall not compete with school-based personnel for retention purposes.

SEC. 141. (a) RESTRICTIONS ON USE OF OFFICIAL VEHICLES.—(1) None of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this paragraph, the term ''official duties'' does not include travel between the officer's or employee's residence and workplace (except in the case of a police officer who resides in the District of Columbia).

(2) The Chief Financial Officer of the District of Columbia shall submit, by November 15, 1998, an inventory, as of September 30, 1998, of all vehicles owned, leased or operated by the District of Columbia government. The inventory shall include, but not be limited to, the department to which the vehicle is assigned; the year and make of the vehicle; the acquisition date and cost; the general condition of the vehicle; annual operating and maintenance costs; current mileage; and whether the vehicle is allowed to be taken home by a District officer or employee and if so, the officer or employee's title and resident location.

(b) SOURCE OF PAYMENT FOR EMPLOYEES DETAILED WITHIN GOVERNMENT.—For purposes of determining the amount of funds expended by any entity within the District of Columbia government during fiscal year 1999 and each succeeding fiscal year, any expenditures of the District government attributable to any officer or employee of the District government who provides services which are within the authority and jurisdiction of the entity (including any portion of the compensation paid to the officer or employee attributable to the time spent in providing such services) shall be treated as expenditures made from the entity's budget, without regard to whether the officer or employee is assigned to the entity or otherwise treated as an officer or employee of the entity.

SEC. 142. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with the Buy American Act (41 U.S.C. 10a–10c).

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products to the greatest extent practicable.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each agency of the Federal or District of Columbia government shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 143. Notwithstanding any provision of any federally granted charter or any other provision of law, the real property of the National Education Association located in the District of Columbia shall be subject to taxation by the District of Columbia in the same manner as any similar organization.

SEC. 144. None of the funds contained in this or any other Act may be used to pay the salary or expenses of any officer or employee of any department or agency of the District of Columbia government or of any entity within the District of Columbia government who fails to provide information requested by the Chief Financial Officer of the District of Columbia.

SEC. 145. None of the funds contained in this Act may be used for purposes of the annual independent audit of the District of Columbia government (including the District of Columbia Financial Responsibility and Management Assistance Authority) for fiscal year 1999 unless—

(1) the audit is conducted (either directly or by contract) by the Inspector General of the District of Columbia; and

(2) the audit includes a comparison of audited actual year-end results with the revenues submitted in the budget document for such year and the appropriations enacted into law for such year.

SEC. 146. Nothing in this Act shall be construed to authorize any office, agency or entity to expend funds for programs or functions for which a reorganization plan is required but has not been approved by the District of Columbia Financial Responsibility and Management Assistance Authority (hereafter in this section referred to as ''Authority''). Appropriations made by this Act for such programs or functions are conditioned only on the approval by the Authority of the required reorganization plans.

Mr. TAYLOR of North Carolina (during the reading). Mr. Chairman, I ask unanimous consent that the bill through page 57, line 14, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The CHAIRMAN. Are there any amendments to that portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

SEC. 147. Notwithstanding any other provision of law, rule, or regulation, the evaluation process and instruments for evaluating District of Columbia public schools employees shall be a non-negotiable item for collective bargaining purposes.

SEC. 148. None of the funds contained in this Act may be used by the District of Columbia Corporation Counsel or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

AMENDMENT NO. 3 OFFERED BY MS. NORTON

Ms. NORTON. Mr. Chairman, I offer an amendment.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Ms. NORTON:

Page 57, strike line 20 and all that follows through page 58, line 2 (and redesignate the succeeding provisions accordingly).

Ms. NORTON. Mr. Chairman, I rise to oppose gratuitous language that would forbid the District to use its own funds as part of a lawsuit testing whether American citizens who happen to live in the Nation's capital are constitutionally entitled to voting rights in the Congress of the United States.

I stand here as the only Member who represents taxpaying American citizens who are denied full representation in the Congress. Are we to add to this basic denial an attempt to deny the right to seek redress in the courts, as well? Do we really want to add one basic denial onto another, first denial of fair representation, then denial of the right to test that notion in a court of law?

This provision is unworthy of this House unless we want to be in the company of the authoritarian regimes of the world. The denial of court redress is gratuitous and futile because the lawsuit is being carried pro bono by a major downtown law firm. The District's involvement is marginal, involving only such occasional advice from the City's Corporation Counsel, as should be responsibly required. It

would be hard to even calculate the amount of District funds, so great is the responsibility of the private lawyers.

Please, do not allow history to add to the litany of denials to the people I represent. Remember the most brazen and the most recent of the denial of basic rights already on the record of this Congress: that I won the right to vote in the Committee of the Whole; that the District Court and the U.S. Court of Appeals upheld that right; that the Republican majority retracted that right. For good measure, will that same majority shame itself today by forbidding the right to seek redress in a court of law, knowing not what that court will find, having an equal chance to prevail if they disagree with my position?

What is to be gained by keeping the Corporation Counsel altogether out of the picture? Whom does it hurt if he provides an occasional piece of advice to those bringing the suit? Not one cent of Federal funds is involved. The District expenditures supporting this suit are too small even to calculate. Please remove this provision. Let us be.

Mr. TAYLOR of North Carolina. Mr. Chairman, spending the taxpayers' money, first of all, I somewhat resent the fact that we talk about D.C.'s money or the Federal tax dollars. We have a budget here that is $5.2 billion.

The Federal taxpayer picks up about 40 percent of that, over $2 billion of that money, to do ordinarily in the District what the citizens of the District would have to do. We just picked up, for instance, $800 million approximately to handle the area's prisoners that the District had paid for a number of years. And we will continue to work together in maintaining this city.

So it is disingenuous to talk about what the local residents pay versus the national taxpayers pay because what the national taxpayer pays usually is in place of services that the local taxpayers have to pay.

I am also a taxpayer here, as are most of us in this room. Every time we eat, every time we have lodging, D.C. has a tax rate in sales that is twice what it is across the river. They have a local income tax twice as greater as it is across the river. And so, most of us are paying a property tax or sales tax or other tax here in D.C.

Now, I can share the desire of the gentlewoman to bring forth her argument. But there is a proper way to bring it forth. It is to bring the motion before the Congress of the United States, have a debate, have a vote.

If the Congress decides for a Constitutional amendment, it will go out to three-fifths of the States and they will decide whether or not the District of Columbia will be changed from what the framers of the Constitution intended, that is a Federal district, a special consideration, we have them throughout the country in military bases, in other areas, where the Federal Government chose specifically to have total control in that area, or whether or not we will have a State or some other type of organization. And that is the proper way to do it.

What the gentlewoman from the District of Columbia (Ms. NORTON) is asking us to do is to spend U.S. taxpayers' money to bring forth an argument that the same U.S. taxpayers will have to answer on the other side, and that I think is a waste of the taxpayers' money when we have a solution to this problem.

I am not necessarily saying that I would vote for it, but it is a solution. It is a way that anytime the gentlewoman from the District of Columbia (Ms. NORTON) wants to bring that before this body, we will debate it, vote on it, and if it moves forward it will go out to the people to see whether or not the Constitution will be changed. It is wasteful for us to sue ourselves on this issue year after year.

I would point out that the Corporation Counsel's office has increased this year from 271 attorneys up to 503 attorneys in the District of Columbia. We have increased the number of attorneys by 232 members. And to spend the millions of dollars that it will take to fund this type of argument is I think unjust to the people of the United States and the city of Washington, especially with the number of needs we have in this country and in this city.

Mr. DIXON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to support the Norton amendment.

I hope that we can stay on the track of what we are talking about. We are talking about whether any funds in this bill, and in this case District funds, can be used for a basic right; and that is to bring a lawsuit to fruition in court, the right to be heard by an impartial arbitrator and make a decision.

This language prohibits the District from aiding anyone who wants to bring a lawsuit on the merits of representation of the District. It has nothing to do with the fact that the Counsel's office has gone from 200 to 400, or 300 to 500.

If, in fact, as the chairman says, he thinks it is inappropriate, then the court will not take jurisdiction over it. But for this Congress to say that the District cannot exercise a fundamental right of our Constitution and our society to allow someone to go to court to settle what they perceive is a grievance is, basically, wrong.

Now, I understand the fact that Federal money should not be used. But it goes much further than that. It should not be our individual opinions that matter in this body. It should be, basically, what the Constitution says and, basically, what is fair.

It is unfair to not allow the District to petition the court, and that is exactly what this does, notwithstanding what our individual opinions are. That is the reason we have the judiciary to make these decisions, and that is the reason I support the Norton amendment.

Ms. WATERS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, again I find myself taking the floor to support the gentlewoman from the District of Columbia (Ms. NORTON) in her efforts to keep Members of this House from running roughshod over the District of Columbia. I support her efforts to strike the bar to the use of local funds again.

It is absolutely amazing to me that we can in this House, on this floor, representatives of the people who sent us here because they believe in representative government, they believe in democracy and they believe in the right of the citizens to have a voice and to be represented, find myself on the floor of Congress arguing to allow the District of Columbia residents the right to go to court.

On July 4, a group of 51 District residents filed a petition to Congress declaring that they lack political representation in the House and the Senate. The D.C. Corporation Counsel signed the petition, and they have a law firm that is going to, basically, agree to represent the petitioners pro bono.

It is inconceivable that a serious legislator of any stripe could come on this floor with legislation that says, citizen, I do not care what you are attempting to do. Citizen of the District of Columbia, you do not have the same rights as other citizens in this Nation. We are going to use our awesome power to deny you the right to go to court on a very fundamental question of whether or not you have representation and that representation can vote in the House and in the Senate to represent the people of the District of Columbia.

We know what the long struggle has been in this District, and we know that this representative, the gentlewoman from the District of Columbia (Ms. NORTON), worked hard to be able to exercise her right to vote on the floor.

My colleagues took it away from her. They literally came into power and snatched away from this representative the right to vote in this House. Again, this abuse of power.

I am almost ashamed for them that they would say not only to this representative that she indeed cannot represent her constituents on the floor but to tell the residents who organized and who petitioned that they are going to shut down their right to go to court.

Every American citizen deserves the right to fight, to struggle, and to go to our court system and to ask that they be heard. It is inconceivable that they would use their power in this way. But since they have decided one more time to do that, let me remind them that this is beyond the question of local control.

☐ 1845

But again, you are saying that they cannot use their own funds, the taxpayers' money, not Federal money,

they cannot use their own funds to petition and to go into court on a very basic and fundamental right that most citizens in this country enjoy without thought. This again is a local argument.

I would ask any Member on the other side of the aisle who is opposed to this amendment to justify to your voting constituents, to justify to your constituents who see the court as something that is guaranteed to them in this democracy for use when they feel they need to go there to be heard, to get an opportunity to voice their opinions and to petition their government, I dare you to make an argument that would indeed conclude that somehow it is all right for your citizens in your district, in your State, in your city or your town but somehow it is not good enough for the citizens of this District.

Again, the gentlewoman from the District of Columbia (Ms. NORTON), a woman that you must look in the face every day and refer to as the gentlelady, a woman whom you say you respect, a woman who is an attorney, who is a professor, who gets on this floor with facts, with the kind of background and knowledge that is necessary to represent her people, you would deny her and take it away from her with this kind of action.

Mr. TIAHRT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as I understand this, this would strike the entire section 148 which simply says that none of the funds contained in this act will go to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

Now, there is nothing in this bill or nothing that is in the language here or in the funding that says that this cannot occur. If they want to go forward with some petition drive or with some civil action, there is nothing in this act that would prevent that. The people of the District of Columbia are completely free under the Constitution and under the laws of this land to pursue that agenda. What this simply says is we are not going to use taxpayer dollars to fund both sides of the argument. We are not going to let people who may disagree be compelled to provide the dollars to argue both sides of this. In fact, it was Thomas Jefferson that said, ''To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves is sinful and tyrannical.'' Today we would call it wrong and say to compel a man or a woman, we would change it a little differently, but basically what we are saying is that we are not going to push ideas, force people to push ideas that they do not believe in. But yet there is still the freedom here. There is complete freedom to move these arguments forward, we are just not going to have the taxpayers fund through the District of Columbia.

There has been some question on the floor today just who is a taxpayer of the District of Columbia. The chairman of the subcommittee on D.C. appropriations pointed out aptly that if you live here in the District, if you eat here in the District, if you have some exchange, you do have some vested interest. Many of us have paid parking tickets in the District. We have contributed to the overall funds that are involved here. But we may not want to use these contributions to fund this type of effort.

Mr. DIXON. Mr. Chairman, will the gentleman yield?

Mr. TIAHRT. I yield to the gentleman from California.

Mr. DIXON. Is the gentleman suggesting that each individual taxpayer has the right to make a decision about the collective wisdom of the D.C. government? In other words, if I do not like something, I should just come to the floor and say, ''They can't do that anymore because I own property here''? Is that what you are saying?

Mr. TIAHRT. Taking back my time, what I am saying is that there is nothing in this legislation that prohibits people living in the District of Columbia from moving forward with a petition drive or any civil action requiring Congress to provide for voting representation in Congress for the District of Columbia.

Mr. DIXON. If the gentleman will yield further, maybe I interpret it different, but I assume that some officers of the District live in the District. This says that any officer or entity of the District shall not provide assistance for the petition.

Mr. TIAHRT. There is nothing that prohibits the people of the District of Columbia, the people in here, to go ahead forward with this petition drive or with this civil action.

Mr. DIXON. I thank the gentleman for yielding to me. I just read it differently. I assume there are officers that live in the District and in reading the plain language here, it says if you are an officer of the District.

Mr. TIAHRT. Reclaiming my time, the reading is correct. But these are people who are paid, their salaries are paid by the taxpayers in the District of Columbia. And it follows with the same logic that none of these funds contained shall be used for this petition drive or this civil action. I want to make one last point. We are not going to prohibit such action, we are just going to say the taxpayer funds will not argue both sides of the case.

Mr. HOYER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the gentlewoman's amendment. Many of these amendments go at the very heart of home rule, none more than this, and this is broader, I would suggest. We will argue an amendment at some point in time tonight where I will disagree with the gentlewoman, and I will disagree on the proposition that it affects individuals outside of the District of Columbia. My position has historically been if legislation affects people inside the District of Columbia, that is for the District of Columbia government to decide.

It seems to me that this amendment deals with one of the most basic rights that Americans have. It is a unique right. It is a right that conservatives and liberals and moderates, Republicans and Democrats, those from the east and west, north and south all should adhere to with a religious passion. That right is articulated in the first amendment of the United States Constitution. It says, not only do we have the right to freely speak our views. That is an extraordinary right when you compare it with the abridgment of that right around the world. Those of us who have had the opportunity to travel, not just to the Soviet Union but to nations that espouse democracy and are in fact democracies but who limit, far more than we do, the right of those in a democracy to speak, to articulate their view, to address the issues of the day, and try to make their point made to their fellow citizens. Our Founding Fathers in the first amendment thought that right so fundamental that they articulated it first. The first amendment probably is one of the most historic provisions of any political document in the world.

It is significant, I think, that the last phrase of that amendment says this, or let me read more of it: ''Congress shall make no law, no law, no law, respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people peacefully to assemble.'' And then they concluded this historic amendment with this phrase: ''And to petition the government for a redress of grievances.''

There is no more basic right in a democracy for the people than the right to petition their government for the redress of grievances. That is what this section speaks to and tries to, by law, impede, deny and diminish.

I would hope that in this greatest body of democracy in the world, in this palace of freedom, this center of democracy, we would not only not say to the District of Columbia government but we would say to no one in America that we will pass a law with its obvious intent of undermining your ability to petition this government and your fellow citizens for the redress of grievances. Clearly what section 148 tries to do is to diminish that most fundamental of rights. For that reason alone, I suggest to my colleagues it should be rejected.

Mr. DAVIS of Virginia. Mr. Chairman, I move to strike the requisite number of words. I am going to try to be brief and speak in support of the Norton amendment on this. The

amount of money involved here is minuscule. There is no savings to the taxpayer. We are talking about the Corporation Counsel or some other District entity having the right to coordinate a lawsuit, to touch it up, to go through briefs that is being done by a pro bono law firm. So the money involved here is nothing. Let us get this straight.

We go to Hong Kong, we go to China, we stand in the face of Jiang Zemin and we look at him and say you are diminishing Democratic rights in Hong Kong because you are not letting all of the participants participate and we do not like the way they have structured the electorate. But here in Washington, we do not give our Nation's capital the right to vote in the Senate or in the House of Representatives.

Now, the Congress treats the District of Columbia differently than other entities. There are long, historical reasons for this. I think reasonable people can disagree over what that voting representation ought to be, what it is today, what it was in the 103rd Congress when there was a semblance of a vote for the delegate along with other delegates and what it was when Republicans took control, but even then it was not a full vote and there were constitutional prohibitions or perceived constitutional prohibitions that would have not allowed the delegate from D.C. to have full voting rights. But what are we afraid of, allowing the city to go to court to try to find out and define what their constitutional rights are for voting representation in the House?

□ 1900

If the Constitution gives the citizens a right to a Member of Congress, so be it. What are we afraid of? That is a constitutional guarantee they should not be denied. If it simply defines a mechanism whereby Congress can grant that voting right without having to go through the constitutional process, perhaps by statute or House rule, so be it. Then we can act accordingly. What are we afraid of?

It is one thing to be able to go and say to them they cannot have a vote on the House floor. We have had many debates here, and reasonable people can agree or disagree. But it is another thing to not allow the city to petition, to in any way participate in a lawsuit that would help define a mechanism where they may be going about achieving these rights.

I support the Norton amendment. I hope it is successful, and I think it would just give the city basic guarantees that every other citizen and noncitizen in this country enjoy under the Constitution.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. TAYLOR of North Carolina. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 517, further proceedings on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON) will be postponed.

The Clerk will read.

The Clerk read as follows:

SEC. 149. The Residency Requirement Reinstatement Amendment Act of 1998 (D.C. Act 12–340) is hereby repealed.

AMENDMENT NO. 4 OFFERED BY MS. NORTON

Ms. NORTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Ms. Norton:

Page 58, strike lines 3 through 5 (and redesignate the succeeding provision accordingly).

Ms. NORTON. Mr. Chairman, the outright repeal of the District's residency law in this bill is an abuse of congressional power that even Congress has been reluctant to do. This repeal would mark only the fourth time that a District law has been overturned in 24 years of home rule. Despite the fact that this residency law does not threaten the job of a single suburban worker employed by the District Government, regional Members have placed the repeal in the D.C. appropriation bill.

The residency bill applies prospectively to new hires only, and even then a suburban worker could be hired so long as he or she moves to the city within 6 months. The strongest reason against a residency law has been eliminated by the requirements in the law itself. Residency may be waived for hard-to-fill positions. In the District today this could range from modestly paid 911 operators, where problems of competence and sick leave have been found, to technology talent that may be in short supply. To assure work force quality, waivers could be exercised for entire units, even agencies.

Mr. Chairman, the residency repeal in this bill is selfish special interest legislation, pure and simple. The repeal is opposed by the Control Board for financial reasons. The residency law would strengthen the District's economy because city employees would pay city taxes, spend most of their disposable income within the city, and improve their own neighborhoods. Suburban employees earn 60 percent of the total annual salaries paid to District employees. If District employees who live in Maryland, Virginia and other States paid D.C. income taxes, the income tax revenue generated from their payments would be almost $60 million.

Most of the employees about whom residents and Congress alike so often complain are not District residents. Almost 45 percent live in Maryland; 8.5 percent live in Virginia. If more of them lived where they work, then, as the courts upholding residency laws have found, absenteeism would be reduced and employee performance improved because employees would have a stake in their community.

Half of all American cities with a population of over 500,000 have residency laws, and 11 States have laws mandating that local government employees live in the State. Regional Members have succeeded in denying the city the right to tax commuters who use our services. Now they want to deny us the right to have employees who live in the District and would automatically pay taxes. They want it all their way.

Mr. Chairman, it takes real special interest, tunnel vision to repeal a provision that does them no harm but could help a city coming out of fiscal crisis. This repeal is not just a slap in the face, Mr. Chairman, it is a fist in the gut. No city on the planet deserves to be denied the right to decide whom to employ and whom to pay. We reach a new low with this repeal.

Let this democratically passed measure by the D.C. City Council stand.

Mr. TAYLOR of North Carolina. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I join the gentlewoman from the District of Columbia (Ms. NORTON) in her statement. Certainly I support the striking of this provision. It was in the full committee that this measure was added.

And I know there is a strong feeling on both sides, but throughout this country we have major cities that have residency requirements. This act did not, for instance, affect established workers. It only is for the new employees, new hires. It also provided a broad exemption for hard-to-fill positions.

And so the City Council has asked for something in this case that is truly a local consideration. In many of the items where money was involved, the Congress has, I repeat, the Congress has the duty to respond if it feels the money should not be spent. But clearly in residency requirements this should be an authorizing decision, and the authorizing committee did not act upon it, and the Committee on Appropriations should not.

Mr. MORAN of Virginia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the implication is that the suburbs around the District of Columbia are acting in their own parochial self-interest and not in the interests of the District of Columbia.

I rise to let my colleagues know that from my perspective we are doing just the opposite. The fact is that if this residency requirement were to become law, it is the suburbs who will be benefited because we will have an even larger pool of the most qualified experienced applicants for the kinds of municipal jobs that the District of Columbia needs. We are not suffering from a lack of employment opportunities, certainly not in the suburbs. We have less than a 2 percent unemployment rate. We do not need this residency requirement to be repealed, but the District of Columbia does.

The District of Columbia needs to be able to draw upon the widest personnel pool that it can so that it can get the very best people working for D.C. That is what we hope to accomplish by preventing a residency requirement, because the District of Columbia is a city of only 500,000 people. It is not like Chicago that has 8 million people. They have a residency requirement. That works. Chicago doesn't have a restricted pool of personnel from which they can draw.

Let us talk about one particular job that many people might cite, that of law enforcement officer. If a law enforcement officer has just graduated from college, and I know in the suburbs, hopefully it is the case in the District of Columbia too, they look for college graduates because there is a lot of demand for law enforcement jobs now. We have raised the caliber, and the compensation.

When that young law enforcement person tries to determine what is in their best interest, they look to the future. They are not like some highly paid professional athlete that figures they can go with one team for a few years and then move on to another one, whoever offers them the right money. They want to sink in their roots. They want to make a commitment to a community.

When they look at the District of Columbia and make that determination, that if they work for D.C. they will never be able to choose where they want to live, they are not going to look any longer at D.C., they are going to look at the suburbs, and we are going to be able to get even more people applying for our jobs. That is not in D.C.'s interest, it is only in our interest.

Let me give you a specific example. We have a Capitol police force of highly qualified professional people. We lost two who in fact were typical of the professionalism, the quality of people that work for us. One of the reasons that we have such high quality is they know they can choose to live anywhere they want. They have all those options open to them.

The two people that were lost in that tragedy happened to live outside of the District of Columbia; one of them because they wanted a larger garden, another who lived down in Lake Ridge.

We would never impose a residency requirement on the Capitol Hill police force because we know that we want the best people available working for us, protecting us. If you impose a residency requirement on the District of Columbia Government, D.C. will never have the best people working for their citizens. We know that. It only makes common sense.

There are far better ways to address this problem, if there is a problem. One is to give incentives. In Alexandria, we do that. We give them discounts on home purchases. Give them a number of things to make D.C. more attractive. Work with the carrot, not the stick. This is a punitive provision that will hurt D.C. in the long run. I urge the Members to reject this amendment.

Mr. DAVIS of Virginia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this may be selfish and special interest legislation but it is not on the part of suburban Members. This is an election year in the city and every election year people are coming up, whipping up the electorate, and now it is trying to promise city residents that they are going to get jobs that they may or may not otherwise be qualified for, and it is a sham, and it is a shame.

The District Government does not operate well. I do not think anyone can sit here and say we would not have had legislation that imposes a Control Board on the city and taken some of the other stringent actions that the authorizing and appropriations committees have taken if the city were functioning well.

The potholes are unfilled, applications and permits are routinely lost, garbage not picked up. To solve these problems, the city needs the very best workers they can find to make the government operational once again.

If the city restricts its hiring to the 20 percent of the metropolitan region that resides within the confines of the Nation's Capital, their chances for hiring and retaining the best and the brightest, the people they need to man their fire department, their police department, to operate permits, to run their computers, to work in the hospitals, are greatly diminished, because their applicant pool is diminished from 100 percent of the eligible employees and trained and qualified employees in the metropolitan region to only 20 percent of those individuals.

□ 1915

My friend from Virginia is absolutely correct, this amendment does not help the suburbs. Our unemployment rate is less than 2 percent. It does, however, open up some unneeded regional wounds, where we have tried as a region to work together, where we in the suburbs have voted for tax breaks for the city that we do not get in the suburbs that in some way give the city some advantages we would not have. We have worked to try to build a convention center downtown, instead of taking it out to the suburbs, because we recognize that bringing this city back is critical, not just for our Nation's capital, but critical for the metropolitan region as well.

We have 19,000 jobs today in Northern Virginia that we cannot find qualified employees to fill. These are high-tech jobs, average salary over $40,000 a year. This amendment does not hurt the suburbs, but this amendment does hurt the District of Columbia.

Ultimately, to make this a livable city, the city solves its population exodus problems by being an attractive city, where people want to live; not coming to the city because they have to to get a job, or to relocate here to keep their job because they cannot find one somewhere else. Because what you will find is people working for the city, or who otherwise may be attracted to come to the city, will find preferable jobs where they live, where they can get a good education for their children, where they can live in safe neighborhoods that they are not getting in the city.

But to make the city school system better, you need to attract the best teachers. To make the neighborhood safe, you need to attract the best police officers, and to do that by diminishing the pool of applicants to one-fifth of the eligible people in the metropolitan region greatly hinders that effort.

Ms. NORTON. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Virginia. I yield to my good friend, the gentlewoman from the District of Columbia.

Ms. NORTON. Does the gentleman realize that within the bill is a liberal waiver provision?

Mr. DAVIS of Virginia. The gentleman has read the bill and is familiar with the waiver provision.

Ms. NORTON. Why does that not deal with the gentleman's problem with the quality of the work force?

Mr. DAVIS of Virginia. Mr. Chairman, reclaiming my time, because my experience with waiver provisions has been that it not only creates a huge paperwork backlog, there is the question in the mind of applicants whether they can achieve the waiver, there is a huge time lag, and when it comes to attracting quality people, you need to move very quickly sometimes to get the people who otherwise could take 2 or 3 or 4 different jobs. They just do not work. It sounds great on paper, but operationally, these are just not successful.

Finally, let me just say, we want to bring people to the Nation's capital because they want to live there, not because that is the only way they can keep their job. We want people who want to live here because it is a safe city, because they can get their kids an education here, because the garbage is picked up, because the city will be able to attract the best and brightest from throughout the metropolitan region.

This legislation does not allow that. This says only 1 in 5 are eligible to come and work in the city, despite these waivers provisions and others that are not administered very well. In fact, the political pressure is not to grant waivers from some of the groups within the city, and it just does not satisfy the requirement.

So, despite I think the best intentions of my friend from the District of Columbia, I have to rise to oppose the amendment, and ask my friends to join with me in trying to make the Nation's capital a model city throughout the country. Let us get the best employees we can. Let us not put these artificial restrictions on who can work for the city.

Mr. WOLF. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in very strong opposition to the amendment. Let me explain why.

We are all products of our environment. My dad was a Philadelphia policeman for 20 years. He had to live in the City of Philadelphia. My dad wanted the opportunity for a garden. He wanted to raise his own vegetables and tomatoes, and just never had that opportunity. We never could move out of the city. In fact, I can still hear him tell my mom, ''Virginia,'' he said, ''when I retire, we are going to move out of the city and we will get that garden.'' My mom died at age 52, and they never got outside of the city. My dad did, by himself, after he retired.

Secondly, you are going to lose some of the best people. My daughter has worked in the City of Washington at 14th and Belmont in one of the toughest areas for four years, taught then for a year in the Gage-Eckington School, and lived in the State of Virginia, but she had a commitment to the District of Columbia. She and her husband and other young staffers up here on the Hill are opening a school in the District of Columbia, because they are committed to the District, they care about the District.

The District ought to be a better place, and it can be a better place, but do not put a residency requirement on it to say that people that happen to live in Crystal City or Chevy Chase or some other place cannot participate and be active.

Thirdly, in Philadelphia, when you had the residency requirements and everybody had to live in the city, you found cases where people were not completely truthful. They would give their sister's address or their brother's address or somebody else's address just so they could have that place out in the suburbs or the country, but still could comply.

Fourthly, it divides the area. We need things that bring us together. Arlington, Fairfax, Montgomery County, Prince George's County, no one has a residency requirement. You can work in Fairfax County and live in the District of Columbia or any other place. So we do not want anything that divides us, that puts up barriers. We want things that bring us together.

Lastly, where you live is so important. You may have a child that has special ed needs, and you may pick a particular school or particular school district because they have the program for your child, and maybe that is not in the District or some other place. You may be very active in your church or synagogue or temple and want to live there so you can participate and do all those things. That does not mean you have to live in the District of Columbia. Your wife or your husband may work somewhere else, and you may want to divide the difference, whereby he or she can drive 30 miles that way and you can drive 30 miles this way, whereby you can live in a central location whereby both of you can have the job.

Lastly, this would be a bad amendment for the District of Columbia. The District of Columbia does not need this. I urge colleagues on both sides, deleting this amendment was supported on a bipartisan basis, Republicans and Democrats, in the committee.

I would ask everyone, how many of your policemen and firemen can live in many homes in the District of Columbia? They cannot afford it. Therefore, many that I know live in Woodbridge and live in Dale City, and some of them live in the western part of my district, in Clark County and Winchester, and drive all the way in, and work very difficult hours, because you know policemen work around the clock. Let us not take that opportunity away from policemen and from firemen and from teachers.

Lastly, the waiver, the waiver idea, the big boss gets the waiver. He is the person that you need. So then you have a division where the boss can live in Fairfax or Chevy Chase, but everybody else has to live in the District. So the waiver is a division. It divides, it separates out.

So I strongly urge Members on both sides, for the policemen, the firemen, the teachers and everybody else, oppose the Norton amendment and allow people to live wherever they want to live.

Mrs. MEEK of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, of all the arguments I have heard against the residency law, what I have heard on the floor today pretty much points up the weakness of the rationale of those who have offered these arguments. It would appear to me that there are certain inferences that have been made here today regarding the residency law.

One inference is that D.C. residents are incompetent. I say to you that they are not. D.C. residents are not incompetent. They have the same kind of ability that people who live in suburbia have. The chairman of the subcommittee did not agree to this. This amendment was put on in the Committee on Appropriations. Therefore, at this point I speak in support of the amendment.

The other inference that I hear is that this amendment is bad for the District. Nothing could be further from the truth. The arguments are superfluous. How can you take an amendment that says weaken our tax base? That is good for you, to weaken our tax base? Take away some instance of our home rule. That is good for you.

It is so paternalistic, until it is aggravating. It is saying to the residents of the District of Columbia, you are not good enough. We live in suburbia. Where did this meritocracy come, that you must live in suburbia to be able to serve in the District of Columbia?

Think of it this way, Mr. Chairman. Suppose you had a residency law here and people needed jobs. They would come into D.C., they would remain in D.C., they would work because they would be able to gain a living here. If they want to live in suburbia, that is fine. There is nothing wrong with that. But that is a choice that the individual would make. If any one of us had the ability to make a choice and in making a living, we would.

I have been through many situations in my life where I had to make some choices, and that choice, naturally, would lead, number one, to my economic betterment, or it would lead to my social betterment, or my political betterment. The same way with suburbia.

Now, why is it that 60 percent of the people who work in this District live outside the District? It is a drain on the District to have that here. Why is it do they live there? If that is the case, then it appears from the emphasis that is made here that we need these people who live outside the District. If the District did not have the firemen and police and all of that, that this place would go down. It would go down.

I will tell you how it would go down. If you continue to have those people draining it, and every afternoon running to suburbia, because the people in the District are not good enough to hold their own jobs, to keep their own tax base, this whole thing, Mr. Speaker, that is why I did not want to speak, it sounds just like colonialism. ''We know what is best for you. You cannot know what is better for you. You are not educated enough. You have some ethnic differences, so we do not think you can carry these jobs.''

I do not care what you say, Mr. Speaker, these are the inferences that are here. When you have this many people staying outside of the District, if they had a real emergency here, it would take them forever to face it, because they have got to call every suburb in this whole area to get them back into the city because of the demographics.

So if it is good enough for other cities that have had financial problems, it is good enough for the District.

This whole thing has a lot to do with unemployment. Do you realize that where people are poor, they do not have jobs, that there are disturbances? This thing is feeding disturbances in the District of Columbia. Pull the jobs out. Local people do not have a job, so that is unemployment. Then we come to the Congress, put a stain glass window behind us, and we begin to dictate or mandate what should happen in this District.

This is wrong, Mr. Chairman. There is nothing here to say to the people, look, you can build your own government, you can be proud of your own government.

Weed out the people not doing the right thing in D.C. Let us build a strong government here. This is the

Nation's capital. We are setting a very bad record. It is so important. The Supreme Court has supported this. If it were wrong constitutionally, then the Supreme Court would not have supported it.

So the whole thing means there have to be some order in this community. I think one thing the District should be given is a residency requirement.

Mr. HOYER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I cannot remember a time since I have served in the Congress of the United States, since 1981, that there has been any more supported delegation in the Washington metropolitan area of the District of Columbia than this time.

□ 1930

In our suburban delegation, there are no D.C. baiters or bashers. They are uniformly supporters of a healthy, vibrant region that we call the Washington metropolitan area.

The previous speaker is one of my very close friends, but I tell her, ethnic inferences go both ways. There are all types of ethnic identities that may or may not be welcome.

I will tell my friends and my colleagues, there are some 4.3 million people in this metropolitan area, and 3.8 million of us live outside of Washington, D.C., the Nation's Capitol. It is a distinct and unique city. It is the Nation's city.

Let me tell the Members how the Nation's city came about. Our early forefathers decided to have a Capitol here, and they asked some States to donate some land. They did so. Maryland donated all the land on which the District of Columbia now resides. Virginia donated some, and it was reverted to the State of Virginia.

Frankly, we in Maryland think it is very ironic that we would donate land, the Nation's Capitol would grow thereon, and subsequently, we would be told, you need not apply.

Let me tell the Members where there is not a residency requirement, where all those who live in this metropolitan area are welcome to apply and to work: In Montgomery County, Maryland, the District of Columbia residents are welcome to apply and work; Prince Georges County, Maryland, District of Columbia residents are welcome and can work; Fairfax County, the District of Columbia residents are welcome and can work there, while at the same time choosing where they want to raise their families, where they want to send their kids to school.

There has been some discussion of a waiver. Yes, there are waivers. The distinguished gentlewoman from California, who probably knows more about this issue than anybody on the floor and with whom I was involved for some period of time, discussed this matter during the 1980s and early 1990s. We had a lot of discussions.

Guess what, it was the District of Columbia City Council that decided to repeal the then existing residency requirement. Why? Because it was replete with exceptions. It was replete with exceptions for the special people, mostly who earned a lot of money. It is the average worker who does not have much clout who was squeezed by this, who cannot choose where to raise their children, where to grow that garden.

This is America's Capitol. Every United States citizen ought to be welcome, wherever they choose to live, to work in the government of the Nation's Capitol. That is why Americans come to Washington, they are proud of their Capitol, not just the 1,535,000.

Do they have a unique ability and responsibility? They do. Do I support that? I do. But when they say to the rest of us, you need not apply, stay out, yes, I say to the gentlewoman from Florida, ethnic inferences run both ways. They run both ways, I say to the gentlewoman. It is not healthy for either side to exacerbate those inferences, I tell my friend.

Yes, the two police officers gunned down defending America's House of freedom, one lived in Woodbridge, Virginia, in the District of the gentleman from Virginia (Mr. TOM DAVIS), and one in the District of my friend, the gentleman from Maryland (Mr. AL WYNN), because they wanted to raise their children in a suburban setting. But they wanted to come into Washington and defend freedom's House.

Mr. Chairman, I ask Members to reject this amendment, and allow every American to be welcome to work in their Nation's Capital.

Mrs. MORELLA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in very strong opposition to restoring the residency requirement in the District of Columbia. Requiring new workers to live in the District would make nonresidents second-class citizens, and really, could only endanger public safety and education.

When I first came to Congress in the 1980s, the District government was already showing signs of the deficiencies that marked the beginning of a spiraling economic crisis. Services in the District were deteriorating, businesses were relocating, and middle class residents were moving to the suburbs in search of lower taxes, safer streets, and better schools. From 1990 to 1995, the District lost more than 22,000 households, most of them middle-class taxpayers.

Many of the people who moved to the suburbs have bought homes, and if this residency requirement is implemented, these people will be looking for alternatives to working for the District, and we will lose many competent employees.

This proposal will divert attention from the more important issues that affect the District. If we work hard to make the streets safer and improve the schools, those former residents will want to move back to the District, closer to their jobs, and others will move into the District of Columbia. Indeed, we are trying to do that.

As mention was made, we in the region and others in this Congress really do feel that we have added luster and vitality to the District of Columbia, and it is going up, up, up.

Many of the workers who do live in the District are underserved and undereducated, at this point. I think we have to work very hard to make sure that we have good training programs for District residents, so they will meet the needs of the changing work force.

I also want to point out that this amendment is really rather myopic, because when we look around in Montgomery County, Maryland, that I represent, Prince Georges' County, other parts of Maryland and in the State of Virginia, we do not have any residency requirements.

We have many people, many people who live in the District of Columbia, who live in the District of Columbia but who work in the neighboring areas. In fact, we have many who even live in West Virginia that come into Maryland or other places to work, but there are no residency requirements. So this would be unfair. The District needs the best employees that can be found to meet the city's day-to-day needs. If in fact we were to limit the pool of workers to residents of the city, we shortchange the District of Columbia, the Capital city, and the people who live there.

I urge my colleagues to oppose this amendment.

Mr. WYNN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to this amendment, not because I oppose the District of Columbia. Quite to the contrary, I consider myself a friend of the District of Columbia, and more importantly, as a resident of the suburbs, I believe the citizens of the suburbs consider themselves friends of the District of Columbia.

Earlier today I stood on this floor and I said that we ought to allow the District of Columbia to manage its affairs. I and all of us in the Washington metropolitan area have worked closely with the District of Columbia to support the District. We believe that they should manage their affairs.

But when the District of Columbia contemplates erecting a wall and stretching outside of its jurisdiction to say to those people who live across the line, so to speak, no, you cannot come in, then I have a serious concern. That is why I am here to object to the Norton amendment.

Mr. Chairman, I know it is tempting to establish a residency requirement. We in Prince Georges County contemplated it, and Montgomery County has contemplated it. It is always good to say, why do we not keep all these jobs here to ourselves. But that is not a sound policy, and thankfully, the jurisdictions that I have mentioned resisted that temptation and said, we

will have an open door policy. People can live where they want to live, and bring their resources and talents into our jurisdiction and work. That is what we think the District of Columbia ought to do.

The citizens who live outside of the District of Columbia and work in D.C. contribute a great deal. They spend a lot of money here. They support art, culture. They contribute to the District of Columbia. I often see my colleague, and say that I am in the District of Columbia and I am spending an hour, I am supporting the District's tax base. Those folks who work in the District of Columbia do that on a regular basis.

One of the things I would have to mention in this debate is that the folks that live in the suburbs are not ''them'' and ''they.'' For the most part, they are people who used to live in the District of Columbia, who perhaps even go to church in the District of Columbia, have families in the District of Columbia, and travel out to the suburbs to find a place to live with more room or a different type of lifestyle, but still have a great affinity and love for the District of Columbia. So the notion that there is some sort of division between the people out there and the people in here I think is absolutely false.

One of the interesting ironies is that, and it was pointed out earlier, that the ''big bosses,'' the top level appointees, already are subject to residency requirements. That is to say, if you make the big bucks, you can be required to live within the city. But for the average person, the fireman, schoolteacher, whatever, if they can find a better housing value in the suburbs they ought to be able to take advantage of that. They ought not to be considered to be somehow colonial in their thinking or abandoning the District of Columbia.

The other thing I would add is that this policy could cut both ways. There are a lot of opportunities in the suburbs. Not only did we resist the temptation to apply residency requirements for government jobs, and our governments are much larger than that of the District of Columbia and offer more opportunities, but we also resisted it in the form of taxes on out-of-State employees. We have not done that. We have not started that practice.

I daresay that this attempt or this concept by the District of Columbia would move us in the wrong direction. It would begin to make jurisdictions wary of each other. It would make jurisdictions start talking about residency requirements in Prince Georges, Fairfax, Arlington, Montgomery County. That is not good for the region.

We want to do the right thing for the entire Washington metropolitan region. The right thing is to allow people to live where they want to live, where their lifestyle justifies their living, and allow them to work where they want to work.

I think it is a sad fact that if Members have to have a residency requirement, it is almost a tacit admission that they can not attract people to live in their town, they have to compel them to live in their town.

I do not believe that is what the District of Columbia is saying. I believe the District of Columbia is a viable and desirable place to live. I think people will want to come and live in the District of Columbia, and there is no need, no fundamental need, for a residency requirement that would impose this mandatory requirement.

I would like to return to and maintain the notion of regional cooperation. That is why I am here to oppose the residency requirement for the District of Columbia.

Mr. SERRANO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment. Mr. Chairman, I do not find it easy to disagree with some of the Members who have spoken here today, because they are my friends and I respect them a lot. But I understand what they are doing. They are speaking on behalf of their constituents who work in the District of Columbia and live in their districts. That is an honorable thing to do, and that is a proper thing to say.

However, those who know me know that I do not like embargoes and I do not like colonialism. This is colonialism at its worst. What it basically says is that on a daily basis, we bash the District of Columbia. We basically say, every time their appropriation bill comes up or their authorization bill comes up, that they are not doing the right thing, that they do not know how to govern themselves, that they do not know how to conduct themselves. They get bashed more than any other group in this Nation except for immigrants. That is a fact of life.

Now, when the District of Columbia begins to move ahead and tries to deal with issues as other people in inner cities and suburban communities are doing throughout this country, by saying, part of the way we want to better ourselves is to require you, for certain jobs, to live within the community that you work in so that you will have an interest in that community, so that you will be a force, a presence in that community, so that you will be a leader in that community, then we step in and say, no, you cannot do that. You cannot do that. You cannot do that. You cannot try to improve your schools by suggesting having teachers who live in that neighborhood and know those children and see those children, and have to worry about whatever crime those children commit, and want to celebrate when those children graduate; you cannot do that.

□ 1945

We will not let you do that, or that a gentleman who is living in an area where fires may be a problem and he is a city fireman would not take special interest in finding out where the people are who could be committing the kind of crime that leads to those fires, you cannot do that, that is improving your community. We understand but, you see, you are trampling with something we want to talk about, about some of the people who live outside the District, so you cannot do that.

The fact of life is that D.C. is not alone. There are communities throughout this country that are moving in this direction, that have established in fact residency requirements. Today what you are being asked to do here is to interfere once again with a local decision, a decision that affects only a certain group of workers.

Some of my colleagues have mentioned the Capitol Police as an example. We all love the Capitol Police, and we pay respect to them more than ever these days for their sacrifice to us. But that is not the same thing. The Capitol Police and the Federal workers are not covered under this, and the Congress is not covered under this. And the Congress is a unique community, Nation, if you will, that lives within the District of Columbia. So we are not saying that the people, for instance, who are on this floor or back in our offices are subjected to this. What we are saying is, let us hear it clearly, that the District of Columbia said, if Mrs. Smith or Mr. Jones paid taxes to pay your salary to be our fireman, Mrs. Smith and Mr. Jones, who pay those taxes because they reside within the District of Columbia, are asking you to do the same thing and reside within the District of Columbia. You do not want to do that, well, you do not have to take that job.

The other comment I heard which really troubled me is, it does not hurt us, it hurts the people in the District of Columbia. Well, that makes two assumptions that are incorrect. One, that all jobs are in the suburbs. That is why 8 million people, 5 million people come into New York City every day to work. Because all the jobs are in the suburbs. And secondly, that you cannot find qualified people in the District of Columbia. That sends an additional message. It tells young people, do not educate yourself because once you have educated yourself, there are people who think you are not qualified to hold the jobs that are locally in this economy.

This does not make any sense. Most of you know it does not make any sense. So the right vote is to support the Norton amendment.

In addition, I would make a special plea to those of you who think this is a special, unique situation. The District of Columbia, Puerto Rico, Guam, the Virgin Islands, American Samoa do not have a vote on this floor. Every so often we should take that into consideration and accept that what their delegates and representatives tell us carry a certain emotional weight, the weight of trying to represent people without any vote on this floor. That means something to me.

That means that I take my vote and transfer it to the gentlewoman from

the District of Columbia (Ms. NORTON) tonight. I will by supporting her amendment. I hope we all do the same.

Mr. CARDIN. Mr. Chairman, I move to strike the requisite number of words and I rise in opposition to the amendment.

Mr. Chairman, I rise in opposition to the gentlewoman's amendment. I think it is very important for the District of Columbia that there be regional cooperation. I have worked very hard during my career here in Washington as well as my service in our State capital to try to help the District of Columbia to work in a regional way to do what is right. In response to the last gentleman's comments, I do believe in local rule for local issues. But this matter goes beyond what is local. It deals with what is in the best interest of this area.

Mr. Chairman, when I first was elected to the State legislature, I represented Baltimore City. Baltimore City had at that time an earnings tax. We in the State saved Baltimore City from itself and repealed that earnings tax that was discriminatory against people who lived outside of Baltimore City.

Some might say, why did the State of Maryland do that? Because the State of Maryland had responsibility, a good deal of responsibility for the fiscal condition of Baltimore, and it was in Baltimore's interest that the entire State be sensitive to its problems.

Mr. Chairman, I would suggest that it is in the Nation's interest and in the District of Columbia's interest that we all show the appropriate concern and welfare for the people that live within our Nation's capital. But then that requires cooperation and understanding. When you tell people that they must live in that jurisdiction in order to work for it, you are drawing a wall around the District. That is not healthy. That is not good. That will not help the District in solving its problems here in this body.

Mr. Chairman, I know that the gentlewoman is well-intentioned in her amendment. I know that she fights as hard as anyone does for the people that she represents. But there are times that we have to speak for what is important from what we represent and the Nation's interest.

It is important that all people in our country pay attention to the problems of the District, but in order for us to have that type of compassion and concern, it is only fair that we have a system within the District on employment that does not discriminate against people because they just do not happen to live within the District of Columbia. That is not fair.

I urge my colleagues to reject this amendment to allow the regional cooperation which is so important to the health of our Nation's capital to continue.

Reject the gentlewoman's amendment.

Mr. DIXON. Mr. Chairman, I move to strike the requisite number of words, and I yield to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I ask my colleagues, in the words of the old adage, to consider the source or, shall I say, consider the sources.

The only Members who have come to the floor to support the repeal of the District's residency law have been suburban Members who are selfishly interested in the outcome of this repeal. Exclusively, we have heard from suburban Members. They have ignored every argument in favor of the bill. Waiver, we are told, is not good enough. There will be a bureaucracy, and it will not be waived.

Of course, it is in our interest to fill positions. They do not know whether it will be waived or not. But since they do not have an answer, the answer is, I simply reject it without any proof.

We are told it is class legislation. Although I have indicated a perfect example, the 911 operators who are likely to be filled by anyone who is competent. I tell my colleagues right now that with all of the movement out of the District, we probably could not fill a police class in the District alone because the standards have been raised. Kids must not have gotten into trouble and the like, for example. There is no class bias here.

People who voted for this would hardly have done so considering that they have to run for office in the District of Columbia if there were class bias.

We are told in one of the most innovative arguments that the land to form the District of Columbia was donated by the State of Maryland; ergo, the District must, therefore, grant whatever the State, what is in the interest of the State of Maryland and not in its own interest.

We are told that this is an election year, that this was done for political reasons. Well, that must mean that it was done because those who voted for it believe that the people of the District of Columbia wanted it.

We are told that there is no reciprocity here. If you find that two-thirds of your workers do not in fact live in your city, then you are free to enact this kind of proposal as well. That is why we are doing it, because we are recovering from insolvency. We need the tax money here. And you suburban Members, you are the same Members who keep us from having a commuter tax, even a commuter tax on people who earn their living from the taxpayers of the District of Columbia.

Mr. Chairman, there is a conflict of interest on the part of every Member who has spoken for repeal. They want it their way. They want to have us coming, and they want to have us going.

The fact is that the District government has provided a safe Civil Service job for their residents. They have taken those safe jobs and used those jobs to move out of town.

This legislation gives the words ''special interest'' new meaning, new meaning and pregnant meaning.

I ask my colleagues to support me on this matter, to support the District as it recovers from insolvency, as it passes a law that allows liberal waiver to preserve the quality of the work force, to allow us to decide whom to employ and whom to pay and not to allow that decision to be made by suburban Members of this body, all of whom have exclusively been those who have spoken for repeal.

Mr. BARR of Georgia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I inform the gentlewoman that I am not from the suburbs, and I oppose this amendment and urge repeal of the residency requirement.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON).

The question was taken; and the Chairman announced that the noes appeared to have it.

Ms. NORTON. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 517, further proceedings on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 517, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

Amendment No. 1 offered by the gentlewoman from the District of Columbia (Ms. NORTON); amendment No. 2 offered by the gentlewoman from the District of Columbia (Ms. NORTON); amendment No. 3 offered by the gentlewoman from the District of Columbia (Ms. NORTON); and amendment No. 4 offered by the gentlewoman from the District of Columbia (Ms. NORTON).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MS. NORTON

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment No. 1 offered by the gentlewoman from the District of Columbia (Ms. NORTON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 187, noes 237, not voting 10, as follows:

[Roll No. 407]

AYES—187

Abercrombie	Baldacci	Bentsen
Ackerman	Barcia	Berman
Allen	Barrett (WI)	Berry
Andrews	Becerra	Bishop

Blagojevich
Blumenauer
Bonior
Borski
Boswell
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Capps
Cardin
Carson
Castle
Clayton
Clyburn
Condit
Conyers
Coyne
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Dunn
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Horn
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
Kolbe
Kucinich
LaFalce
Lampson
Lantos
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Scarborough
Schumer
Scott
Serrano
Sherman
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Stabenow
Stark
Stokes
Strickland
Stupak
Tanner
Tauscher
Thurman
Tierney
Torres
Towns
Traficant
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn

NOES—237

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boucher
Boyd
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clement
Coble
Coburn
Collins
Combest
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Danner
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Doyle
Dreier
Duncan
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Pappas
Parker
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Sisisky
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Sununu
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—10

Cunningham
Gonzalez
Harman
Manton
McDade
Moakley
Packard
Paul
Thompson
Yates

□ 2015

Mrs. MYRICK, Mr. HEFLEY and Mr. COSTELLO changed their vote from ''aye'' to ''no.''

Messrs. BECERRA, MASCARA, OBERSTAR, ORTIZ, POMEROY, KOLBE and CLYBURN changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. SNOWBARGER).

Pursuant to House Resolution 517, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 2 OFFERED BY MS. NORTON

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment No. 2 offered by the gentlewoman from the District of Columbia (Ms. NORTON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 180, noes 243, answered ''present'' 1, not voting 10, as follows:

[Roll No. 408]

AYES—180

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Barrett (WI)
Bass
Becerra
Bentsen
Berman
Bishop
Blagojevich
Blumenauer
Boehlert
Bonilla
Boswell
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Capps
Cardin
Carson
Castle
Clay
Clayton
Clyburn
Conyers
Coyne
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Dunn
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fawell
Fazio
Filner
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gejdenson
Gephardt
Gilchrest
Gilman
Gordon
Green
Greenwood
Gutierrez
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Hobson
Hooley
Horn
Houghton
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kilpatrick
Kind (WI)
Kleczka
Klug
Kolbe
Lantos
Lazio
Lee
Levin
Lewis (GA)
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moran (VA)
Morella
Nadler
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pickett
Pomeroy
Price (NC)
Pryce (OH)
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Shays
Sherman
Sisisky
Skaggs
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stokes
Strickland
Tanner
Tauscher
Thurman
Tierney
Torres
Towns
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
White
Wise
Woolsey
Wynn

NOES—243

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bereuter
Berry
Bilbray
Bilirakis
Bliley
Blunt
Boehner
Bonior
Bono
Borski
Boucher
Boyd
Brady (TX)
Bryant
Bunning
Burr
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth
Christensen
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Danner
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Doyle
Dreier
Duncan
Ehlers
Ehrlich
Emerson
English
Ensign
Etheridge
Everett
Ewing
Foley
Forbes
Fossella
Fowler
Fox
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Goodling

Goss	Mascara	Salmon
Graham	McCollum	Sanford
Granger	McCrery	Saxton
Gutknecht	McHugh	Scarborough
Hall (OH)	McInnis	Schaefer, Dan
Hall (TX)	McIntosh	Schaffer, Bob
Hamilton	McIntyre	Sensenbrenner
Hansen	McKeon	Sessions
Hastert	McNulty	Shadegg
Hastings (WA)	Metcalf	Shaw
Hayworth	Mica	Shimkus
Hefley	Mollohan	Shuster
Herger	Moran (KS)	Skeen
Hill	Murtha	Skelton
Hilleary	Myrick	Smith (MI)
Hoekstra	Neal	Smith (NJ)
Holden	Nethercutt	Smith (OR)
Hostettler	Neumann	Smith (TX)
Hulshof	Ney	Smith, Linda
Hunter	Northup	Snowbarger
Hutchinson	Norwood	Solomon
Hyde	Nussle	Souder
Inglis	Oberstar	Spence
Istook	Ortiz	Stearns
Jenkins	Oxley	Stenholm
John	Pappas	Stump
Johnson, Sam	Parker	Stupak
Jones	Paul	Sununu
Kanjorski	Paxon	Talent
Kaptur	Pease	Tauzin
Kasich	Peterson (MN)	Taylor (MS)
Kildee	Peterson (PA)	Taylor (NC)
Kim	Petri	Thomas
King (NY)	Pickering	Thornberry
Kingston	Pitts	Thune
Klink	Pombo	Tiahrt
Knollenberg	Porter	Traficant
Kucinich	Portman	Turner
LaFalce	Poshard	Upton
LaHood	Quinn	Walsh
Lampson	Radanovich	Wamp
Largent	Rahall	Watkins
Latham	Redmond	Watts (OK)
LaTourette	Regula	Weldon (FL)
Leach	Riggs	Weldon (PA)
Lewis (CA)	Riley	Weller
Lewis (KY)	Roemer	Weygand
Linder	Rogan	Whitfield
Lipinski	Rogers	Wicker
Livingston	Rohrabacher	Wilson
LoBiondo	Ros-Lehtinen	Wolf
Lucas	Royce	Young (AK)
Manzullo	Ryun	Young (FL)

ANSWERED ''PRESENT''—1

Lofgren

NOT VOTING—10

Burton	Manton	Thompson
Cunningham	McDade	Yates
Gonzalez	Moakley	
Harman	Packard	

☐ 2024

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MS. NORTON

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment No. 3 offered by the gentlewoman from the District of Columbia (Ms. NORTON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 181, noes 243, not voting 10, as follows:

[Roll No. 409]

AYES—181

Abercrombie	Gejdenson	Mink
Ackerman	Gephardt	Mollohan
Allen	Gilman	Moran (VA)
Andrews	Green	Morella
Baldacci	Gutierrez	Murtha
Barcia	Hall (OH)	Nadler
Barrett (WI)	Hall (TX)	Neal
Becerra	Hamilton	Oberstar
Bentsen	Hastings (FL)	Obey
Bereuter	Hilliard	Olver
Berman	Hinchey	Owens
Berry	Holden	Pallone
Bishop	Hooley	Pascrell
Blagojevich	Horn	Pastor
Bliley	Hoyer	Payne
Blumenauer	Jackson (IL)	Pelosi
Bonior	Jackson-Lee (TX)	Peterson (MN)
Borski	Jefferson	Poshard
Brady (PA)	Johnson, E. B.	Rahall
Brown (CA)	Kanjorski	Rangel
Brown (FL)	Kaptur	Reyes
Brown (OH)	Kennedy (MA)	Rivers
Campbell	Kennedy (RI)	Rodriguez
Capps	Kennelly	Rothman
Cardin	Kildee	Roybal-Allard
Carson	Kilpatrick	Rush
Clay	Kind (WI)	Sabo
Clayton	Kleczka	Sanchez
Clement	Klink	Sanders
Clyburn	Kucinich	Sandlin
Condit	LaFalce	Sawyer
Conyers	Lampson	Schumer
Costello	Lantos	Scott
Coyne	Lee	Serrano
Cummings	Levin	Sherman
Davis (FL)	Lewis (GA)	Sisisky
Davis (IL)	Lofgren	Skaggs
Davis (VA)	Lowey	Snyder
DeGette	Luther	Spratt
Delahunt	Maloney (CT)	Stabenow
DeLauro	Maloney (NY)	Stark
Deutsch	Markey	Stokes
Dicks	Martinez	Strickland
Dingell	Mascara	Stupak
Dixon	Matsui	Tauscher
Doggett	McCarthy (MO)	Thurman
Dooley	McCarthy (NY)	Tierney
Doyle	McDermott	Torres
Edwards	McGovern	Towns
Engel	McHale	Velazquez
Eshoo	McKinney	Vento
Evans	McNulty	Visclosky
Farr	Meehan	Waters
Fattah	Meek (FL)	Watt (NC)
Fazio	Meeks (NY)	Waxman
Filner	Menendez	Wexler
Ford	Millender-McDonald	Weygand
Frank (MA)	Miller (CA)	Wise
Franks (NJ)	Minge	Wolf
Frost		Woolsey
Furse		Wynn

NOES—243

Aderholt	Cannon	Everett
Archer	Castle	Ewing
Armey	Chabot	Fawell
Bachus	Chambliss	Foley
Baesler	Chenoweth	Forbes
Baker	Christensen	Fossella
Ballenger	Coble	Fowler
Barr	Coburn	Fox
Barrett (NE)	Collins	Frelinghuysen
Bartlett	Combest	Gallegly
Barton	Cook	Ganske
Bass	Cooksey	Gibbons
Bateman	Cox	Gilchrest
Bilbray	Cramer	Gillmor
Bilirakis	Crane	Goode
Blunt	Crapo	Goodlatte
Boehlert	Cubin	Goodling
Boehner	Danner	Gordon
Bonilla	Deal	Goss
Bono	DeFazio	Graham
Boswell	DeLay	Granger
Boucher	Diaz-Balart	Greenwood
Boyd	Dickey	Gutknecht
Brady (TX)	Doolittle	Hansen
Bryant	Dreier	Hastert
Bunning	Duncan	Hastings (WA)
Burr	Dunn	Hayworth
Burton	Ehlers	Hefley
Buyer	Ehrlich	Hefner
Callahan	Emerson	Herger
Calvert	English	Hill
Camp	Ensign	Hilleary
Canady	Etheridge	Hinojosa
Hobson	Moran (KS)	Sessions
Hoekstra	Myrick	Shadegg
Hostettler	Nethercutt	Shaw
Houghton	Neumann	Shays
Hulshof	Ney	Shimkus
Hunter	Northup	Shuster
Hutchinson	Norwood	Skeen
Hyde	Nussle	Skelton
Inglis	Ortiz	Slaughter
Istook	Oxley	Smith (MI)
Jenkins	Pappas	Smith (NJ)
John	Parker	Smith (OR)
Johnson (CT)	Paul	Smith (TX)
Johnson (WI)	Paxon	Smith, Adam
Johnson, Sam	Pease	Smith, Linda
Jones	Peterson (PA)	Snowbarger
Kasich	Petri	Solomon
Kelly	Pickering	Souder
Kim	Pickett	Spence
King (NY)	Pitts	Stearns
Kingston	Pombo	Stenholm
Klug	Pomeroy	Stump
Knollenberg	Porter	Sununu
Kolbe	Portman	Talent
LaHood	Price (NC)	Tanner
Largent	Pryce (OH)	Tauzin
Latham	Quinn	Taylor (MS)
LaTourette	Radanovich	Taylor (NC)
Lazio	Ramstad	Thomas
Leach	Redmond	Thornberry
Lewis (CA)	Regula	Thune
Lewis (KY)	Riggs	Tiahrt
Linder	Riley	Traficant
Lipinski	Roemer	Turner
Livingston	Rogan	Upton
LoBiondo	Rogers	Walsh
Lucas	Rohrabacher	Wamp
Manzullo	Ros-Lehtinen	Watkins
McCollum	Roukema	Watts (OK)
McCrery	Royce	Weldon (FL)
McHugh	Ryun	Weldon (PA)
McInnis	Salmon	Weller
McIntosh	Sanford	White
McIntyre	Saxton	Whitfield
McKeon	Scarborough	Wicker
Metcalf	Schaefer, Dan	Wilson
Mica	Schaffer, Bob	Young (AK)
Miller (FL)	Sensenbrenner	Young (FL)

NOT VOTING—10

Cunningham	Manton	Thompson
Gekas	McDade	Yates
Gonzalez	Moakley	
Harman	Packard	

☐ 2032

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MS. NORTON

The CHAIRMAN pro tempore (Mr. SNOWBARGER). The pending business is the demand for a recorded vote on the amendment No. 4 offered by the gentlewoman from the District of Columbia (Ms. NORTON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 109, noes 313, answered ''present'' 1, not voting 11, as follows:

[Roll No. 410]

AYES—109

Abercrombie	Berry	Brady (PA)
Aderholt	Bishop	Brady (TX)
Barrett (WI)	Blumenauer	Brown (CA)
Becerra	Bonior	Brown (FL)
Bentsen	Borski	Brown (OH)

Campbell	Hyde	Obey
Capps	Jackson (IL)	Owens
Carson	Jackson-Lee (TX)	Pallone
Clay	Jefferson	Pastor
Clayton	Johnson (WI)	Paul
Clement	Johnson, E. B.	Payne
Clyburn	Kaptur	Poshard
Coble	Kennedy (MA)	Rivers
Conyers	Kennedy (RI)	Rodriguez
Costello	Kennelly	Rothman
Coyne	Kildee	Roybal-Allard
Cramer	Kilpatrick	Rush
Cummings	Kucinich	Sanchez
Davis (IL)	Lampson	Sanders
DeLauro	Lazio	Sandlin
Doggett	Lee	Sawyer
Duncan	Levin	Schaffer, Bob
Ehlers	Lewis (GA)	Scott
Farr	Lipinski	Serrano
Fattah	Lucas	Smith (MI)
Filner	Luther	Smith, Adam
Ford	Markey	Stark
Frank (MA)	McDermott	Stokes
Gephardt	McGovern	Taylor (NC)
Goodling	McKinney	Tierney
Gutierrez	Meek (FL)	Towns
Hastings (FL)	Meeks (NY)	Velazquez
Hilliard	Menendez	Vento
Hobson	Millender-McDonald	Visclosky
Holden	Mink	Waters
Hooley	Moakley	Watkins
Horn	Mollohan	Watt (NC)

NOES—313

Ackerman	Diaz-Balart	Hoyer
Allen	Dickey	Hulshof
Andrews	Dicks	Hunter
Archer	Dingell	Hutchinson
Armey	Dooley	Inglis
Bachus	Doolittle	Istook
Baesler	Doyle	Jenkins
Baker	Dreier	John
Baldacci	Dunn	Johnson (CT)
Ballenger	Edwards	Johnson, Sam
Barcia	Ehrlich	Jones
Barr	Emerson	Kanjorski
Barrett (NE)	Engel	Kasich
Bartlett	English	Kelly
Barton	Ensign	Kim
Bass	Eshoo	Kind (WI)
Bateman	Etheridge	King (NY)
Bereuter	Evans	Kingston
Berman	Everett	Kleczka
Bilbray	Ewing	Klink
Bilirakis	Fawell	Klug
Blagojevich	Fazio	Knollenberg
Bliley	Foley	Kolbe
Blunt	Forbes	LaFalce
Boehlert	Fossella	LaHood
Boehner	Fowler	Lantos
Bonilla	Fox	Largent
Bono	Franks (NJ)	Latham
Boswell	Frelinghuysen	LaTourette
Boucher	Frost	Leach
Boyd	Furse	Lewis (CA)
Bryant	Gallegly	Lewis (KY)
Bunning	Ganske	Linder
Burr	Gejdenson	Livingston
Burton	Gekas	LoBiondo
Buyer	Gibbons	Lofgren
Callahan	Gilchrest	Lowey
Calvert	Gillmor	Maloney (CT)
Camp	Gilman	Maloney (NY)
Canady	Goode	Manzullo
Cannon	Goodlatte	Martinez
Cardin	Gordon	Mascara
Castle	Goss	Matsui
Chabot	Graham	McCarthy (MO)
Chambliss	Granger	McCarthy (NY)
Chenoweth	Green	McCollum
Christensen	Greenwood	McCrery
Coburn	Gutknecht	McHale
Collins	Hall (OH)	McHugh
Combest	Hall (TX)	McInnis
Condit	Hamilton	McIntosh
Cook	Hansen	McIntyre
Cooksey	Hastert	McKeon
Cox	Hastings (WA)	McNulty
Crane	Hayworth	Meehan
Crapo	Hefley	Metcalf
Danner	Hefner	Mica
Davis (FL)	Herger	Miller (CA)
Davis (VA)	Hill	Miller (FL)
Deal	Hilleary	Minge
DeFazio	Hinchey	Mollohan
DeGette	Hinojosa	Moran (KS)
Delahunt	Hoekstra	Moran (VA)
DeLay	Hostettler	Morella
Deutsch	Houghton	Murtha
Myrick	Riley	Stenholm
Nadler	Roemer	Strickland
Neal	Rogan	Stump
Nethercutt	Rogers	Stupak
Neumann	Rohrabacher	Sununu
Ney	Ros-Lehtinen	Talent
Northup	Roukema	Tanner
Norwood	Royce	Tauscher
Nussle	Ryun	Tauzin
Oberstar	Sabo	Taylor (MS)
Olver	Salmon	Thomas
Ortiz	Sanford	Thornberry
Oxley	Saxton	Thune
Pappas	Scarborough	Thurman
Parker	Schaefer, Dan	Tiahrt
Pascrell	Schumer	Torres
Paxon	Sensenbrenner	Traficant
Pease	Sessions	Turner
Pelosi	Shadegg	Upton
Peterson (MN)	Shaw	Walsh
Peterson (PA)	Shays	Wamp
Petri	Sherman	Watts (OK)
Pickering	Shimkus	Waxman
Pickett	Shuster	Weldon (FL)
Pitts	Sisisky	Weldon (PA)
Pombo	Skaggs	Weller
Pomeroy	Skeen	Wexler
Porter	Skelton	Weygand
Portman	Slaughter	White
Price (NC)	Smith (NJ)	Whitfield
Pryce (OH)	Smith (OR)	Wicker
Quinn	Smith (TX)	Wilson
Radanovich	Smith, Linda	Wise
Rahall	Snowbarger	Wolf
Ramstad	Snyder	Woolsey
Rangel	Solomon	Wynn
Redmond	Souder	Young (AK)
Regula	Spence	Young (FL)
Reyes	Spratt	
Riggs	Stabenow	

ANSWERED ''PRESENT''—1

Dixon

NOT VOTING—11

Cubin	Manton	Stearns
Cunningham	McDade	Thompson
Gonzalez	Moakley	Yates
Harman	Packard	

□ 2039

Mr. MEEHAN and Mr. NADLER changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

THOUGHTS OF HONORABLE DUKE CUNNINGHAM ON SUCCESSFUL CANCER SURGERY

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, all of our colleagues have become aware of the fact that our friend from California (DUKE CUNNINGHAM) is currently in the hospital. I would like to share with my colleagues for just a moment thoughts our friend DUKE CUNNINGHAM would say to us:

''I have engaged the enemy and won—and once more I shall win due to the attentiveness of the outstanding staffs at both Bethesda Medical Center and the House Attending Physician's office.

''As you may know, I had surgery for prostate cancer on Wednesday morning. I did so eagerly. I am very thankful that the cancer was found at the earliest stages during a routine annual physical. My doctor has said that waiting a few years could have brought a totally different prognosis. I cannot emphasize enough the importance of each of you—men and women alike—making it a priority to have a yearly checkup. It has saved my life.

''To paraphrase General MacArthur (who wasn't Navy): I shall return, eager to press on and finish our Republican reforms.

''The wind stays strong in my sails.

''God bless you all. DUKE.''

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 150. Notwithstanding any other provision of this Act, no Federal funds appropriated under this Act shall be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT:

Insert at the appropriate place the following new section:

SEC. . None of the funds contained in this Act may be used to transfer or confine inmates classified above the medium security level, as defined by the Federal Bureau of Prisons classification instrument, to the Northeast Ohio Correctional Center located in Youngstown, Ohio.

Mr. TRAFICANT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TRAFICANT. Mr. Chairman, the District of Columbia had closed its prison at Lorton and had engaged in a contract with a private for-profit prison that ended up being in my district that desperately needs jobs.

Since that time, there have been 13 stabbings, two of them fatal, an escape of six prisoners, four of them murderers, and one still at large. I am not here to lay blame and I am not here for any political purposes of any party back in the State of Ohio. I believe the Governor and everybody has done the best they can. And I am not here to lay a big blame on D.C. Private for-profit prisons are a thing of the future and we will learn much about them from what happens in my district. But one of the main problems for Congress to understand is this is a low to medium security level facility that has been built. The contract calls for low to medium level security inmates. What we are getting is prisoners and inmates that qualify for supermax type of maximum security prisons.

The Traficant amendment basically says none of the funds in the bill can be used to transfer or to place inmates in the Youngstown facility that are above a medium security level risk as defined by the Federal Bureau of Prisons classification system. This way we get a standard on the matter.

In Commerce, Justice, State we passed a general amendment that said we will study the issues on safety, the development of these prisons on standards, how their security and training measures are.

□ 2045

It is a modest amendment.

But before I do that, I would also like to ask the gentleman from North Carolina (Mr. TAYLOR), the chairman of the

subcommittee, to engage in a colloquy. I am also asking that the committee place, along with the ranking member, report language into the bill that asks for the General Accounting Office to do an in-depth review and inspection of the security and management procedures of this facility and the job opportunities that were presented to it.

Mr. TAYLOR of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the distinguished gentleman.

Mr. TAYLOR of North Carolina. Mr. Chairman, we have reviewed the gentleman's amendment on this side, and it is a good amendment and we will accept it. We will work with the gentleman in the conference to get the report language that he desires.

Mr. TRAFICANT. Mr. Chairman, with that I would ask to have the support of the Congress. I think it is very important for the Nation with the development of these private for-profit prisons, and I think our handling of this will serve as the prototype to handle these around the country.

Mr. Chairman, with that I ask for support.

Mr. MORAN of Virginia. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this actually is a very important issue. It is going to become more important in the future because we are talking about moving 7,000 Lorton inmates around the country as we close down the Lorton prison.

There was a front-page article in Wednesday's Wall Street Journal, talking about this situation at Youngstown, but I think we need to address the larger issue and give a little background in the time I have.

I support this amendment, and I support the efforts the gentleman from Ohio (Mr. TRAFICANT) has taken to improve the security at the Northeast Ohio Correctional Center in Youngstown.

I represent the communities surrounding the Lorton Correctional Complex, and I can understand the frustration of the gentleman from Ohio (Mr. TRAFICANT) with the housing of inmates from the District of Columbia. Although the facility in Youngstown is operated by the Corrections Corporation of America, the root of the problems faced there stems from the inability to adequately and properly classify the inmates of the District of Columbia.

In the late 1980's the District was experiencing a tremendous increase in its inmate population and court orders capping the number of inmates that could be housed in each of its facilities. To escape the court-ordered cap on the number of inmates that could be housed in the maximum facility, the District created a category known as ''high medium'' but they were really maximum security prisoners. The District is still operating under this court-imposed cap and continues to house medium and high medium inmates together. That policy has led to numerous problems at the Occoquan facility at Lorton; has continued when the inmates was transferred to the Youngstown facility.

Under current law all District inmates who are in prison for more than one year are in the custody of the Attorney General of the United States. When inmates are transferred to various facilities around the country, the Attorney General must approve all of those transfers. Before the Department of Corrections could transfer inmates to the Youngstown facility, the Department of Justice had to inspect the Youngstown facility and certify that it was acceptable for the housing of the inmates that were being transferred from Occoquan to Youngstown, and the transfer had to be approved. According to the Director of the Department of Corrections this had been done before every transfer.

Under the contract between the District and the Corrections Corporation of America, CCA has 5 days to challenge the transfer on the grounds that the inmate should not be housed in that facility because he is too much of a security risk. The District, however, has made the process impossible to implement because it has shipped 1,700 inmates without their records.

This is the problem. We ship 1,700 inmates without their records, so it is impossible for the Attorney General to approve each one of them. In fact, the Department of Corrections did not send the records until Judge Bell from Ohio ordered the records to be transferred. This decree was ordered 1 year after the original transfer, and even with Judge Bell's order, all of the records have not been sent to Ohio, and there is some question whether the records even exist.

I raise these points to highlight ongoing problems with how the District of Columbia classifies and houses its inmates. It is not the first time that we have had a problem like this. In 1996 Congress required the Justice Department to study D.C.'s inmate classification system and create a more appropriate system for the inmate population. It was done by the National Council of Crime and Delinquency, but there has not been any follow-up to that study.

So I support this amendment wholeheartedly, and I hope we can work with the gentleman from Ohio (Mr. TRAFICANT) and the Department of Justice and the Corrections Corporation of America to go even further and address the fundamental problems with how the District's prisoners are classified. That is what this problem is. And only by ensuring the District's inmate population is fairly classified can we ensure that the inmates, the guards and the communities in which the prisoners are housed are safe and secure.

I raise these issues because it is going to be an ongoing problem, and basically the problem is that when we transfer 1,700 inmates without their records there is no way that we can ensure that the people in the proper classification are going where they should be going.

Mr. TRAFICANT. Mr. Chairman, will the gentleman yield?

Mr. MORAN of Virginia. I yield to the gentleman from Ohio.

Mr. TRAFICANT. Mr. Chairman, I would like to say that the amendment in the Commerce-Justice-State appropriation bill will give us a snapshot around the country of the whole business of security training, how they match up and compare it to standards, but in this bill the gentleman is exactly right. We are dealing with that specific transfer, and I am not an individual who wants to stop this contract, I am not out waving the banner to close the prison. I just want to make sure that the delineation of medium security level prisoners is the risk we take in housing those prisoners.

Ms. NORTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do not object to this amendment. I regret that it has been offered because I think it unnecessary. The reason I do not object to it is that it is not a violation of Home Rule but comports with an existing court order that already prohibits above medium classification prisoners from being shipped to Ohio.

The gentleman has every reason to be very concerned that there were misclassified prisoners who were sent to this facility. Moreover, unlike some of the amendments that have been brought forward in this body, this matter directly adversely affects this Member's district.

The fact is, however, that the court order has been agreed to by the District and is better protection for the Member's concerns than the amendment he has offered. The District has gone further and adopted the Bureau of Prisoners classification for prisoners because part of what happened in Youngstown was the difference between the District and other jurisdictions, as one might imagine would be the case, on what indeed is medium classification, what is a low classification prisoner and the like.

In order to straighten that out the District now simply adopts the Bureau of Prisons' classifications, which is of course the right thing to do, considering that these prisoners are on their way to being in the custody of the Federal Bureau of Prisons, because under the revitalization package passed by Congress, last year, these are no longer District of Columbia inmates. We are in a transition period, and that transition period means that gradually these prisoners are being moved from the custody of the District of Columbia to the custody of the Federal Government.

I accept this amendment. I believe it is unnecessary. I do not oppose it, however, because the District has already agreed to it.

I absolutely sympathize with the gentleman's concerns. The gentleman

has been a strong supporter of Home Rule. The gentleman did not spring this on me but came and talked with me about it so that we could reach an agreement.

I only ask that other Members, before they decide what to do with respect to a District issue, do me the courtesy of approaching me so that we can seek to work out an understanding.

Mr. TRAFICANT. Mr. Chairman, will the gentlewoman yield?

Ms. NORTON. I yield to the gentleman from Ohio.

Mr. TRAFICANT. Mr. Chairman, the reason for the amendment, however, is to ensure that there is no mistaking that the Federal Bureau of Prisons classification system shall now be codified into law as the measurement device for that medium security level inmate.

In addition to that, many of these court orders, although they speak to specifics, they at times are violated and get involved in a very long, sophisticated hassle. Meanwhile, people are worried.

Ms. NORTON. Mr. Chairman, reclaiming my time, I understand your concern and I do not blame you, considering that there has been a breakout up there, but if I may say so, there is no better protection than a court order that says you are in contempt if you violate what I say, because you can break a law that this body passes and nobody can do anything to you until somebody decides to go in and go through a long rigmarole to bring a court suit.

Contempt proceedings are fast and sure. In any case, the gentleman and I, as usual, are not in disagreement.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. TIAHRT

Mr. TIAHRT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment printed in House Report 105–679 offered by Mr. TIAHRT:

Page 58, strike lines 6 through 10 and insert the following:

SEC. 150. None of the funds contained in this Act may be used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug, or for any payment to any individual or entity who carries out any such program.

The CHAIRMAN. The gentleman from Kansas (Mr. TIAHRT) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Chairman, I yield myself such time as I may consume.

(Mr. TIAHRT asked and was given permission to revise and extend his remarks.)

Mr. TIAHRT. Mr. Chairman, this amendment will restrict any funds from being used to distribute sterile needles or syringes to people who abuse drugs. It is commonly called the needle exchange program.

The reason we are doing this is because it is bad public policy, and we base this decision on whether it is bad public policy on current research. I want to cite a June 8 Wall Street Journal editorial by Dr. Satel, a psychiatrist and lecturer at Yale University School of Medicine, who reported that most needle exchange studies have been full of design errors and, in fact, the more rigorous studies have actually shown an increase in HIV infection among participants in needle exchange programs.

They cite two studies, one which was done in Vancouver, which was a study that goes over 10 years, where they have distributed as many as a million needles per year. What they found out is that HIV rates among participants in the needle exchange program is higher than the HIV rate among injecting drug users who do not participate.

They also found out that the death rate due to illegal drugs in Vancouver has skyrocketed since the needle exchange program was introduced. In 1988 only 18 deaths were attributed to drugs. This year they are averaging 10 deaths due to drugs per week. They anticipate 600 deaths due to drugs this year, and they attribute that primarily to the needle exchange program and the proliferation of drug abuse.

They also found that the highest property crime rates in Vancouver are within a few blocks of the needle exchange program. The place has become a 24-hour drug market. There is open drug injection activity, and it has been bad for the general vicinity and obviously bad for the people who have been involved in the needle exchange program.

The other extensive study was done in Montreal, and they find out in Montreal that participants in the needle exchange program were two times more likely to become infected with HIV than those who did not participate in the study. These increased risks were substantial and consistent despite extensive adjustment to the program.

Dr. Bruneau, who participated in the study, said that these programs, needle exchange programs, may have facilitated formation of new sharing networks, with the programs becoming a gathering place for isolated addicts. So what we have is a policy that is a bad public policy, and we are hoping to stop that.

This policy is also opposed by the drug czar. General Barry McCaffrey has said that as public servants, citizens and parents, we owe to our children an unambiguous no use message, and if they should become ensnared in drugs, we must offer them a way out, not a means to continue this addictive behavior.

□ 2100

We have also had local police authorities who, when they stopped the needle exchange program, gave an opinion in Alexandria. Police Chief Charles Samarra said the message of government supplying needles to addicts is clearly contradictory to our Nation's national and local antidrug efforts.

This is poor public policy, and it does place the police in a very poor position. Here in the District of Columbia it is the unofficial policy, according to the Office of the District of Columbia Police Chief Charles Ramsey, to look the other way when drug addicts approach this van that distributes the needles. Even though these people may be holding illegal drugs, even though they may be holding illegal drug paraphernalia, even though they may be drug pushers, they have to turn their head. So we think it is bad policy, and we hope we get support for this amendment.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. Who seeks to control time in opposition?

Mr. MORAN of Virginia. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Virginia (Mr. MORAN) is recognized for 15 minutes.

Mr. MORAN of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first some facts: The District of Columbia has one of the highest incidences of HIV infection in the country.

Intravenous drug use in the District is the District's second highest mode of transmission, accounting for over a quarter of all the new AIDS cases.

For women, where the rate of infection is growing faster than among men, intravenous drug use represents the highest mode of HIV transmission. The growth of HIV infections is highest among women and where is it coming from? It is coming from dirty needles.

In the African-American community, listen to this, 97 percent of the transmission occurs through dirty needles, 97 percent.

The District of Columbia has had a local needle exchange program in place since last year. This program, operated by the Whitman Walker Clinic, uses scarce D.C. appropriated funds to allow the clinic to exchange on a one-to-one basis between 15,000 and 17,000 dirty needles each month. The program facilitates access to HIV testing counseling, which they provide on the spot. So what they are doing is providing the needles so that they can get hold of people so that they can counsel them and treat them to rid them of addiction. Without doing that, they are not getting access to the people that they need to.

We think Whitman Walker should be free to structure the most locally appropriate response to the greatest public health crisis that has ever faced this city. Every other state and municipality in the United States is entitled to use locally raised tax revenue

to determine the course of their own public health initiatives unhampered by Congressional restrictions. We think the District should be accorded the same standing.

The gentleman from Kansas (Mr. TIAHRT) cites two Canadian studies on needle exchanges that allegedly show needle exchange programs have worsened the AIDS epidemic. But in a New York Times editorial, the authors of those very same studies made clear that opponents of needle exchanges have totally misinterpreted the research.

While it is true that the addicts that took part in needle exchange programs in Vancouver and Montreal had higher HIV infection rates than those who did not participate in the program, that was not surprising since those participating in the program consistently engaged in the riskiest behavior. The authors of the Canadian studies that the gentleman from Kansas (Mr. TIAHRT) has cited point to a larger study by Lancet, the British Medical Journal, that found in 29 cities worldwide where programs are in place, HIV infections in fact dropped by an average of 6 percent a year among drug users. In 51 cities that had no needle exchange programs, drug-related infection rose by 6 percent more.

They conclude their article by stating that clean needles are only part of the solution. A comprehensive approach should be used, which includes health care, treatment, social support and counseling. The authors that were cited called for expansion of needle exchange as a gateway to these other services, and urged Congress to consider this approach.

The Whitman Walker needle exchange program is a gateway to treatment. We should not be shutting off that gate just when its positive impact is beginning to show. We should not be telling Whitman Walker either that Federal funds for other programs will be cut off even if solely private funds are used to finance the needle exchange program. That is bad policy, and that is why we oppose this amendment.

The people that were cited as the experts say in a New York Times editorial that you should not interpret their study the way that the gentleman from Kansas (Mr. TIAHRT) has. In fact, the conclusion is just the opposite, that needle exchange programs are working.

I was surprised by this data, I was surprised by the statistics, but I think when you do look at the statistics, you will realize there is merit to this, particularly in the ability of a city to use its own local funds for this purpose.

Mr. Chairman, I include the New York Times editorial entitled ''The Politics of Needles and AIDS'' for the RECORD.

[From the New York Times, Apr. 1998]

THE POLITICS OF NEEDLES AND AIDS

(By Julie Bruneau and Martin T. Schecter)

Debate has started up again in Washington about whether the Government should renew its ban on subsidies for needle-exchange programs, which advocates say can help stop the spread of AIDS. In a letter to Congress, Barry McCaffrey, who is in charge of national drug policy, cited two Canadian studies to show that needle-exchange plans have failed to reduce the spread of H.I.V., the virus that causes AIDS, and may even have worsened the problem. Congressional leaders have cited these studies to make the same argument.

As the authors of the Canadian studies, we must point out that these officials have misinterpreted our research. True, we found that addicts who took part in needle exchange programs in Vancouver and Montreal had higher H.I.V. infection rates than addicts who did not. That's not surprising. Because these programs are in inner-city neighborhoods, they serve users who are at greatest risk of infection. Those who didn't accept free needles often didn't need them since they could afford to buy syringes in drugstores. They also were less likely to engage in the riskiest activities.

Also, needle-exchange programs must be tailored to local conditions. For example, in Montreal and Vancouver, cocaine injection is a major source of H.I.V. transmission. Some users inject the drug up to 40 times a day. At that rate, we have calculated that the two cities we studied would each need 10 million clean needles a year to prevent the re-use of syringes. Currently, the Vancouver program exchanges two million syringes annually, and Montreal, half a million.

A study conducted last year and published in The Lancet, the British medical journal, found that in 29 cities worldwide where programs are in place, H.I.V. infection dropped by an average of 5.8 percent a year among drug users. In 51 cities that had no needle-exchange plans, drug-related infection rose by 5.9 percent a year. Clearly these efforts can work.

But clean needles are only part of the solution. A comprehensive approach that includes needle exchange, health care, treatment, social support and counseling is also needed. In Canada, local governments acted on our research by expanding needle exchanges and adding related services. We hope the Clinton Administration and Congress will provide the same kind of leadership in the United States.

Mr. Chairman, I reserve the balance of my time.

Mr. TIAHRT. Mr. Chairman, I yield two minutes to the gentleman from New York (Mr. SOLOMON), the distinguished chairman of the Committee on Rules and sage counsel of the Republican side of the House.

Mr. SOLOMON. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, there are two major issues in this country that we always have to be aware of. One is the national defense of our country, to protect us against those that would take away our precious democracy. The other is dealing with the illegal use of drugs in this country. It is literally wiping out an entire new generation of people, whether it is 9, 10, 11, 12, 13, 14-year-olds, and it is so sad.

I have been involved with trying to correct this for many, many years. I come from New York. In New York City we have a needle exchange program, and I can tell you it is a failure; that you have increased drug use, you have increased crime because of the needle exchange programs, where they are not just exchanging needles, but they are bringing in one, taking out 40. That is not doing anything for people that are sadly hooked with drugs.

If you go to Vancouver, which is on our northern border, if you go to Montreal, just above my house in New York, you will see a pathetic situation. If you go to Amsterdam, Holland, where I was the other day, and it is so, so terribly sad to see what is happening to the younger generation of people in the Netherlands. The same if you go into even Switzerland, where they have permissiveness.

Permissiveness towards illegal drugs, including needle exchange programs, leads to increased drug addiction, which leads to increased crime, including violent crime. The worst part about that, right here in America, 75 percent of all the crime, violent crime in America, is drug-related, and it is against women and children. That is how sad this situation is.

The only way to reduce drug use in America is certainly not to do it with drug programs. You need to wean drug addicts from using drugs. You do not do it by making them more available to them. That is why you really need to pass this. Not just for the District of Columbia, you need to do it for Albany, New York, for New York City, and every city in America, to show the example, that we just want to save this new generation of Americans.

Mr. MORAN of Virginia. Mr. Chairman, I yield two minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, the Congress has banned the use of Federal funds for needle exchange programs and left local jurisdictions to decide for themselves how to handle the AIDS epidemic. I ask you not to read the District out of our federalist democracy by imposing the Congressional will on this life or death issue.

Let us be clear who we are talking about. The District is in the throes of an AIDS epidemic that is totally out of control. It ranks first in the Nation in HIV–AIDS. The majority of District residents are African-Americans.

Nationally, AIDS is the leading killer of African-American men and women 25–34, and half of these deaths are needle-related. New infections in young men and women age 13 to 24 are rising so rapidly they have become the focus of special concern. Two-thirds of AIDS in women and 50 percent of AIDS in children can be traced to the needle chain of transmission.

All of the world class investigators that Congress asked to look at this issue have come to the same conclusion. The entire medical and scientific establishment, among them six federally funded investigations, have found that these programs reduce infections markedly and do not promote drug use.

The Vancouver study has been, according to its authors, misinterpreted.

They have said so in an article in the New York Times. The use of that research on this floor is bogus.

Wherever you stand on needle exchange, even if you are willing to disregard the findings of the NAS, the CDC, the GAO, the National Commission on AIDS, the University of California, the Office of Technology Assessment and the National Institutes of Health, I ask you not to place the District in a class by itself, unable to make decisions for its own residents that are a matter of life or death.

Mr. TIAHRT. Mr. Chairman, I yield two minutes to the gentleman from California (Mr. RIGGS).

Mr. RIGGS. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I spoke on this earlier, but I rise again because I think it is a matter of such great importance. I think, first of all, we ought to stipulate that the ''District funds'' are still subject to appropriation, or, more correctly, reappropriation by the Congress, so I think there is a very legitimate reason for us taking an active role in this particular debate.

I think every Member of Congress on a bipartisan, or, better yet, nonpartisan basis has to be concerned about the spread of HIV-related illnesses. But the distinction on our part is while we agree with the comprehensive approach that includes beginning with our children in the youngest grades in school, education, prevention, treatment and rehabilitation, attacking the problem on both the demand side as well as the supply side, we cannot, we should not, be in a position where we somehow sanction illegal drug use. We do not really want to be in a position here where we use taxpayer funding or other tax revenues to promote illegal drug use, to promote further drug addiction and drug dependency in the District of Columbia. What message are we sending to our young people if we go along with this kind of policy?

Now, all of us, many, many millions of Americans, have had a personal experience with a family member whose life has been affected, sometimes ruined, by drug use, and we are all too familiar with the situation where other family members, out of their love and concern for that individual, turn a blind eye. We condone or in some other way facilitate that drug use.

That is called enabling behavior, and I cannot believe that we would consider for a moment in this distinguished body allowing, on an official governmental basis, making as a matter of public policy in the District of Columbia, with District funding and/or Federal taxpayer funding, allowing enabling behavior for people involved in illegal drug use.

Support the Tiahrt amendment.

Mr. MORAN of Virginia. Mr. Chairman, I yield one minute to the gentlewoman from California (Ms. WOOLSEY).

(Ms. WOOLSEY asked and was given permission to revise and extend his remarks.)

Ms. WOOLSEY. Mr. Chairman, when we are talking about AIDS, we are talking about an epidemic. This should not be a discussion that is an opportunity to play politics. Banning needle exchange will not help save our children, or anyone else. In fact, a ban on needle exchange actually threatens lives.

More than half of all children with AIDS contracted the virus from mothers who were intravenous drug users or the partners of intravenous drug users. That is right, we are talking about how our children contract AIDS.

In 1995, the National Academy of Sciences found that needle exchange programs do reduce the spread of AIDS and do not lead to the increase of drug use. In fact, do not overlook the fact that a drug user ready to take the first positive step through a needle exchange program is apt to take further steps towards recovery.

As well, this amendment prevents communities from using their own private funds, and that is what I call a violation of local control.

Mr. TIAHRT. Mr. Chairman, I yield two minutes to the gentleman from Virginia (Mr. DAVIS), the chairman of the Subcommittee on the District of Columbia.

□ 2115

Mr. DAVIS of Virginia. Mr. Chairman, I think this is an issue that is complicated. It is emotional. It is one where people of good will I think can reasonably disagree. We have not too bad objectives, but we have competing public policy objectives.

On the one hand we have groups who say the best way is to stop drug use in its entirety, to just say no, and that ought to be the overriding public policy concern. On the other hand, we have some data that I find is persuasive in many cases saying that exchanging needles, giving people clean needles that are using illegal drugs, can stop the spread of AIDS and hepatitis and can bring down those areas.

Those are both good objectives, but they are competing objectives. We cannot have it both ways. The question comes down to, are we better off giving drug users free, taxpayer-funded needles to use illegal drugs in the hope cleaner needles will stop the spread of disease, or are we better off sending a strong just-say-no message to preventing more drug users from starting illegal drug use in the first place, so they will never start using illegal drugs and will not need needles in the first place?

It is complicated. I think the criteria are different. Here is where I come down, when I look at it. It seems most inconsistent to me that we have veterans, we have patients in HMOs, we have Medicaid patients who are charged, in many cases, for having needles, using legal drugs, while at the same time we are giving free needles to people to use a product in a usage that is illegal.

So I think the amendment of the gentleman from Kansas is one that, on a public policy basis, I support. I realize I have friends on the other side with strong and persuasive feelings, but I think the message here ought to be that we are not going to use taxpayer dollars to fund free needles for people to do illegal acts.

Mr. MORAN of Virginia. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, this Congress voted not to use any Federal funds for needle exchange programs. That is done. If that is done already, what is this extra measure that is being used, directed right at the District of Columbia? Again, it is that running roughshod, it is that disrespect.

At the time that this is going on, 33 Americans are infected each day with HIV because of injection drug use. We had better get our heads out of the sand. Members know that needle exchange is not about promoting drug use, needle exchange is about saving lives. It is about saving lives, because 75 percent of babies diagnosed with HIV/AIDS are infected as a result of tainted needles used by their parents.

If we get drug users coming in to exchange needles, we get a chance to talk with them. We get a chance to know who they are. We get a chance to convince them, and God forbid, if we ever have drug rehab on demand, we can get them into the hospitals, into the clinics, and we can begin to change lives.

Maybe Members do not care, but let me tell the Members why I care so much. It is the leading killer of African Americans between the ages of 25 and 44. People are dying, babies are dying. We need to have a sensible policy to deal with drug use. Needle exchange is such a policy.

Members ought to be ashamed of themselves for denying it to the District of Columbia, using their own money.

Mr. TIAHRT. Mr. Chairman, I yield myself such time as I may consume. I would remind the gentlewoman that there is nothing that prevents private funding from doing the needle exchange program.

Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. Mr. Chairman, I rise in strong support of this amendment. First of all, this is not a ban on needle exchange programs. What this is is an amendment that says we are not going to use Federal taxpayer dollars, taxpayer dollars taken from people in Arizona and across the country, to send the message that it is okay to break the law, that it is okay to destroy your lives with drugs.

I want to cite Dr. James L. Curtis, a medical doctor and a clinical professor of psychiatry at Harlem Hospital Center, a black American himself. He says point blank, ''There is no evidence that such programs work.'' I also want to

cite Dr. Janet D. Lapey, medical doctor, president, Drug Watch International. She points out that in Montreal, deaths from overdoses have increased fivefold since that program started, and in fact, they now have the highest heroine death rate in this country.

I also want to cite Nancy Sossman, who appeared before our committee, and who explained how these programs work in the real world. It is not in fact an exchange. She asked for needles, and was given 40 needles without surrendering one. With regard to programs cleaning up the situation, she said she was a short-term user. She just started, and they did not even encourage her to go for treatment. In the real world these programs do not work, and we should not subsidize them with government dollars.

Mr. MORAN of Virginia. Mr. Chairman, I yield 1 minute to the gentlewoman from Maryland (Mrs. MORELLA).

(Mrs. MORELLA asked and was given permission to revise and extend her remarks.)

Mrs. MORELLA. Mr. Chairman, let us be clear about this amendment. I just want to clarify what was just stated, that this bill already prohibits the use of Federal funds for needle exchange programs in the District of Columbia. But the amendment that has been offered goes beyond the ban on the Federal funding to also include local funding, funding that is raised in the District of Columbia for this purpose.

Frankly, I think to prohibit the District from using its own, and I emphasize, its own local revenues for its needle exchange program which was started a year ago, is really clearly a violation of local control.

I remember when we discussed this whole issue on the floor of the House. Some of us believed that HIV prevention strategy in terms of needle exchange was well worth it. But I do remember when a majority of our colleagues voted for the ban on the use of Federal funds. During that debate, many of the Members argued that States and localities could still use their own revenues for these programs.

Therefore, a vote against this amendment will give us the opportunity to follow through on our promise. Let the District decide how best to prevent new HIV infections within its own community, with its own money. My State of Maryland does that very successfully in the Baltimore area and Prince George's area. Let us vote against this amendment.

Mr. Chairman, I rise in opposition to the Tiahrt amendment. This amendment will prohibit the use of both federal and local funds for the city's needle exchange program to prevent new HIV infections in injection drug users and their partners.

Trying to micromanage D.C. would be counterproductive for the Congress and would encroach on the legitimate roles of the City Council and the Control Board. We in Congress have worked to give back local control to our communities. These provisions would run counter to that objective.

The District of Columbia has one of the highest HIV infection rates in the country. Intravenous drug use is the District's second highest mode of transmission, accounting for over 25 percent of all new AIDS cases. For women, where the rate of infection is growing faster than among men, it is the highest mode of transmission.

Scientific evidence supports the fact that needle exchange programs reduce HIV infection and do not contribute to illegal drug use. The American Medical Association, the American Bar Association, the American Public Health Association, the Association of State and Territorial Health Officials, the National Academy of Sciences, the American Academy of Pediatrics, the American Nurses Association, the National Black Caucus of State Legislators, and the United States Conference of Mayors all have expressed their support for needle exchange, as part of a comprehensive HIV prevention program. A number of federally funded studies have reached the same conclusion and have found that needle exchange programs do not increase drug use—including a consensus conference convened by the National Institutes of Health last year.

Despite this consensus, on April 29, 1998, the House voted to prohibit the expenditure of federal funds for needle exchange programs. The District of Columbia has had a local needle exchange program in place since last year, an important tool in the city's fight against the spread of HIV and an important bridge to drug treatment services. Now, some Members want to tell D.C. that it cannot spend its own funds to prevent new HIV infections. This is simply wrong. Local jurisdictions should be able to decide for themselves how best to fight the HIV epidemic in their own communities. In my own state of Maryland, Baltimore City's needle exchange program has been associated with a 40% reduction in new cases of HIV among participants, and evaluation of the program has demonstrated that needle exchange did not increase drug use. In fact, a bill was approved to continue the program by an overwhelming vote in the Maryland State Legislature last year—it passed by a vote of 113–23 in the House of Delegates and by a vote of 30–17 in the State Senate. And, earlier this year, the Maryland State Legislature voted to allow Prince George's County to establish a needle exchange program.

Mr. Chairman, with so few days left In the legislative calendar, Congress cannot afford to hold up the appropriations process by politicizing public health decisions. I urge my colleagues to reject such efforts and allow the district to make its own decision on how best to prevent new HIV infections. Vote "no" on Tiahrt.

Mr. MORAN of Virginia. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. DIXON).

Mr. DIXON. Mr. Chairman, we might as well just vote on these issues. If we come to the floor and debate the wrong amendments or the wrong language of the amendment, if we come to the floor and say that studies say one thing, misrepresentations, I said in my opening statement 2 or 3 hours ago, now the gentleman is going to use the statement claiming something about a study. We have something here that refutes that entirely. We might as well just vote.

The language that we are debating says, no funds contained in this act. It does not say, no Federal funds in this act, it says no funds. The gentleman can certainly adjust his argument to say, well, I think that, but the point is, the gentleman was debating something that is not so.

The gentleman comes to the floor and he cites a study as if it supports his argument. It does not. The authors have already said that. So if this is just a matter of philosophy, let us just roll the amendments up here and vote.

Mr. MORAN of Virginia. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois (Mr. DAVIS).

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, I rise to oppose the Tiahrt amendment because all the scientific data from experts suggests needle exchange programs reduce HIV infection and do not increase drug use. While AIDS deaths are down, clearly HIV infection continues to increase especially in inner city areas where injection drug use is prevalent.

Needle exchange does not increase drug use, rather it encourages a society that would have fewer individuals infected with HIV. These programs make needles available on a replacement basis only, and refer participants to drug counseling and treatment. The National Institutes of Health's march 1997 study concluded that needle exchange programs have shown a reduction in risk behaviors as high as 80 percent in injecting drug users, with estimates of 30 percent or greater reduction of HIV.

In addition, this amendment puts children at risk. The Centers for Disease Control reported that the rate of HIV/AIDS in the African American community is 7 times that of the general population. Make no mistake about it—this is not an African American problem this is an American problem. This is a public health issue and the Surgeon General, and the Secretary of Health and Human Services both support needle exchange programs. When we help save American lives—America is stronger.

The Federal Government must provide leadership on this critical issue and therefore, I urge my colleagues to oppose this amendment.

Mr. MORAN of Virginia. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I have listened to this debate, and I will tell the Members it really upsets me. I go to the funerals. I see the shrivelled up bodies in the caskets. I see the people suffering. I see my people dying over and over and over again.

Members can cite any study they want to cite. Come to Baltimore, which has a similar program as this one. We are saving lives. It is real simple to sit

here and say that these programs should not exist. This is life and death, life and death. So over and over and over again, I hear the arguments.

But let me tell the Members something. In Baltimore, there is reduction of HIV because of these programs; in Baltimore, reduction of drug use because of these programs; in Baltimore, reduction of crime because of these programs. It is very simple.

Members can cite anything they want to cite. The reason why I am so upset about it is because, like I said, I go to the funerals. I watch them die. I see the babies in the hospital as they cry out. So I say to the Members, I beg them that as this debate goes forward, understand that there are people who are dying. All of the amendments that we have had so far will not save lives, but this one, this amendment, if it goes through, will kill people. That is a fact.

Mr. MORAN of Virginia. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I think that the gentleman from Maryland (Mr. CUMMINGS) was so eloquent in his presentation about what we do know, those of us who take the bite of this wormy apple of the spread of HIV in our communities. We know something about how to prevent the suffering, suffering that these families experience. We know something about saving taxpayers' dollars, if that is the only issue that concerns people here tonight.

Can we all stipulate that we are all against the spread of drug abuse in our country, and IV drug use? Let us all respect each other on that score. But respect is the word that I think tonight's debate is about.

The gentleman from Maryland (Mr. CUMMINGS) and others have clearly laid out that the science says that the needle exchange programs save lives. Nobody less than the head of the National Institutes of Health, Dr. Varmus, a Nobel Prize winner himself, has stated that over and over again.

The gentleman from Arizona (Mr. SHADEGG) described a needle exchange program that I would not support myself, and that is not what we are talking about tonight. We are talking about a needle exchange program that is part of an HIV prevention program that gets people into treatment and prevention.

I want to share just another thought here. When I was born my father was in Congress. He was chair of the District of Columbia Subcommittee of the Committee on Appropriations. They did not have home rule then, but he was a big supporter of home rule because he respected the people of Washington, D.C.

Why is it that every time this bill comes up, we see these assaults on local autonomy, and assaults on the intelligence and the decision-making ability of the people of the District of Columbia? These people have to deal with an important and dangerous public health issue that is facing them. They have drawn conclusions scientifically about how to stop the spread of HIV and all the suffering that goes with it, and all the expense to the taxpayer that goes with it.

This Congress has already passed legislation prohibiting Federal funds to be used for these kinds of programs. Why do we have to go through this again, and say no local funds? Would Members want this Congress to be interfering in the business of Members' own communities? I do not think so. I urge my colleagues to vote against the Tiahrt amendment.

Mr. TIAHRT. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. BARR).

Mr. BARR of Georgia. I thank the gentleman for yielding time to me, Mr. Chairman.

I just walked by the Chamber and I heard loud noises, very pious sounds coming out. I knew that we were once again hearing those who believe that we can attack and cure the drug problem by fostering the drug problem; that we can solve one problem by giving people the means to kill themselves with mind-altering drugs. I knew it is that season again.

The reason, I would tell my colleagues on the other side, why every time this bill comes up we present an amendment to prohibit the use of funds for needle giveaway programs, what they like to more benignly talk about as needle exchange programs, is because there is a serious problem with drugs in the District of Columbia, as there is in communities all across America.

☐ 2130

The reason that it is appropriate and fitting to address this issue in this bill is because these are Federal monies. Now, if citizens of some other country want to engage in the absurdity of saying we can solve a problem by giving people drugs or giving people the means to kill themselves with drugs and that that is, indeed, in some other cultures perceived as a great virtue, then so be it. Other countries such as the Netherlands and Switzerland are dealing with that these very days.

We here in this Congress do not stand for that. The people of this country do not stand for that. There are ways to attack health problems in our communities, but I would prefer to see us attack those health problems in our communities, not by telling our children, here, have this needle, ingest drugs, it is good for you, and yet, I dare say, that probably many of those who propose this chastise the tobacco companies endlessly.

Let us get our priorities in order, Mr. Chairman. This is an appropriate piece of legislation on which to attach this amendment. This is an appropriate amendment. The people of this country do not want drug dealing. I urge the adoption of this amendment.

Mr. TIAHRT. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I want to point out that since Republicans took over the House, we have significantly increased the funds for HIV and AIDs awareness. We have significantly increased the funds for research and development to find a solution for this problem. But sometimes you have to come to a point where tough love is the message that you have to send. It has to be a clear message. Do not get involved with drugs.

When we go about a program that enables the drug abuser to carry on this kind of activity, we are not sending that clear message. We are sending a message of some type of confirmation from the government, and that is not the message we need to send.

Nothing in this bill prevents private funds from conducting a needle exchange program. This just says that any money that goes through this committee is not going to be doing it.

There is talk about how this study could be misinterpreted. There is one part of this study that cannot be misinterpreted. The deaths in Vancouver. There were only 18 in 1988. This year they anticipate 600 deaths. They are averaging 10 per week. Those are the bodies in the casket that we heard about earlier here. Those are the people that through this needle exchange program have proliferated their drug use. They have made groups that exchange needles, and the result has been higher HIV, higher deaths.

It is time that we break this drug cycle, send a clear message. Do not start. It is time that we slow the spread of HIV infection and the AIDs virus. It is time that we reduce the loss of life in America by quit bringing this enabling program forward.

It is opposed by the administration's drug czar. It does not have the blessing of the Secretary of Health and Human Services, Donna Shalala, local police are opposed to it, leading researchers are opposed to it. The people of America are opposed to needle exchange programs.

I think the only compassionate thing to do is to vote for the Tiahrt amendment and stop this activity that is proliferating drug abuse and also allowing for additional loss of life.

Mr. DIXON. Mr. Chairman, I ask unanimous consent to proceed for 1 minute, with the time to be equally divided between myself and the gentleman from Georgia (Mr. BARR).

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The gentleman from California (Mr. DIXON) and the gentleman from Georgia (Mr. BARR), each will be recognized for 30 seconds.

The Chair recognizes the gentleman from California (Mr. DIXON).

Mr. DIXON. Mr. Chairman, I yield myself such time as I may consume. I would ask the gentleman from Georgia if he has read this amendment before he spoke on it?

Mr. BARR of Georgia. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield to the gentleman from Georgia.

Mr. BARR of Georgia. Mr. Chairman, does the gentleman have a question?

Mr. DIXON. I was asking if in fact the gentleman had read the amendment before he spoke on it?

Mr. BARR of Georgia. What is the point?

Mr. DIXON. My point is that if he had read the amendment, he would see that this applies to all funds.

Mr. BARR of Georgia. Yes.

Mr. DIXON. The gentleman said it applied to Federal funds.

Mr. BARR of Georgia. Mr. Chairman, if the gentleman will continue to yield, it is even better if it applies to all funds.

Mr. DIXON. That is what I thought he would say.

Mr. MORAN of Virginia. Mr. Chairman, I yield myself the balance of my time.

I want to tell my colleagues that I will be offering an amendment after this Tiahrt amendment, whether it passes or fails, and that amendment will be very similar to a substitute amendment that was offered in the full Committee on Appropriations that passed, I believe, with a bipartisan vote.

What it does, it is to simply apply the same restriction on Federal funds that the bill that was passed back in April of this year applies to all 50 States so that the Members will have an opportunity to vote to restrict Federal funds, in other words, the only funds over which we have control, from being used for needle exchange programs in the District of Columbia. So we will treat D.C. like we do every other State.

I think after the debate, Members understand that there are good, thoughtful, fair Members on both sides of this very difficult issue. So is it not best to resolve this by limiting the funds that we are responsible for expending, Federal taxpayers funds? We limit those with this subsequent amendment, but do not dictate to the District how they can use their own funds if they choose to decide differently than this United States Congress.

Ms. JACKSON-LEE of Texas. Mr. Chairman, thank you for the opportunity to speak on this important amendment to H.R. 4380. Congressman TIAHRT has offered an amendment, to prohibit federal and local funds from being spent on any program to distribute needles for the hypodermic injection of any illegal drug. The amendment also prevents payments from being given to any persons or entities who carry out such a program.

I oppose Mr. TIAHRT's amendment. This issue has already been fully addressed by the House Appropriations committee who previously voted to reject this intrusion into the funding priorities of the District of Columbia. This legislation would set a dangerous precedent for many states and localities where needle exchange save lives and operate effectively to prevent the transmission of HIV and other dangerous diseases by using state and local funds.

Needle exchange has been shown as an effective HIV prevention too, and is supported by numerous medical and health related organizations and scientists. In April of this year, the Secretary of Health and Human Services, the Director of NIH and the National Institute on Drug Abuse issued a determination that scientific evidence indicates that needle exchange reduces HIV transmission and absolutely does not encourage the use of illegal drugs.

Washington, DC, has chosen to use its own funds to address this urgent local need. Congress should not encroach on DC's choice to implement successful programs which will undoubtedly prevent the transmission of HIV.

Mr. DELAHUNT. Mr. Chairman, I rise in opposition to the amendment by the gentleman from Kansas.

The amendment would not only bar the use of federal funds for needle exchange programs in the District of Columbia. It would also prohibit DC government from using its own money of this purpose—money obtained through local taxation for programs that are widely supported by the local citizenry.

The gentleman is evidently doing this because he knows that a prohibition on the use of federal funds is both unnecessary and meaningless. Secretary Shalala announced this past Spring that the Administration does not intend to make federal funds available for needle exchange programs.

But the gentleman is not satisfied with this. He objects to the fact that local governments across the is country are using their own funds to conduct these programs.

Under our federal system of government, there is nothing he can do about this with respect to Boston, or New York, or even Kansas City. So he has chosen to express his displeasure by targeting the one city in the United States in which the normal rules of local autonomy do not apply.

This is unfair to the residents of the District of Columbia, who find themselves subject to the gentleman's whim even though they do not live in the gentleman's Congressional district.

But it is also a terrible precedent for the country as a whole. Because despite the squeamishness of some Members of Congress at the mere sight of a needle, the truth is that these programs work. They prevent HIV infection. They do not encourage or increase drug abuse. In fact, there is overwhelming evidence that they actually help reduce drug abuse by encouraging injection drug abuser to enter treatment.

As a former prosecutor and a member of the Judiciary Committee, I take very seriously the epidemic of drug addiction on our society. But we cannot make responsible public policy based on fear and ignorance.

Study after study—by such respected agencies as the National Research Council, the Centers of Disease Control and Prevention, and the National Institutes of Health—have all reached the same conclusion.

So have the American Medical Association, the American Public Health Association, the Association of State and Territorial Health Officers, the American Nurses Association, the American Academy of Pediatrics, the U.S. Conference of Mayors, and the American Bar Association.

In April, the Secretary of Health and Human Services followed suit. Yet instead of announcing that federal funds would be made available, the Administration bowed to political pressure and announced a continuation of the status quo.

In other words, needle exchange programs save lives, but cities and towns that want to have these programs must pay for them out of their own funds.

That is unfortunate, Mr. Chairman, but at least local jurisdictions are free to do that. If the gentleman's amendment is adopted, the District of Columbia will no longer have that option.

That is wrong, Mr. Chairman. It is bad enough for legislators to overrule local decision makers in matters of this kind. But it is the worst kind of irresponsibility for us to substitute our own uninformed opinions for the sound judgment of the public health community. To say, in effect, ''our minds are made up. Don't confuse us with facts.''

I have seen what needle exchange programs can accomplish in Massachusetts, Mr. Chairman, and I know that they have saved lives.

If this amendment becomes law, more people in Washington, D.C. will become infected with the AIDS virus. More people will die of AIDS. And their blood will be on our hands, Mr. Chairman.

I urge my colleagues to vote ''no'' on the Tiahrt amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas (Mr. TIAHRT).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. TIAHRT. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 517, further proceedings on the amendment offered by the gentleman from Kansas (Mr. TIAHRT) will be postponed.

AMENDMENT OFFERED BY MR. MORAN OF VIRGINIA

Mr. MORAN of Virginia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MORAN of Virginia:

Page 58, strike lines 6 through 10 and insert the following:

SEC. 150. No Federal funds appropriated in this Act shall be used to carry out any program of distributing sterile needs of syringes for the hypodermic injection of any illegal drug.

PARLIAMENTARY INQUIRY

Mr. TIAHRT. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TIAHRT. Mr. Chairman, is this not the same language that is currently in the bill?

Mr. MORAN of Virginia. Mr. Chairman, will the gentleman yield?

Mr. TIAHRT. I yield to the gentleman from Virginia.

Mr. MORAN of Virginia. Mr. Chairman, I appreciate the gentleman yielding to me so that I can explain. This is not the same language that is in the bill.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, what this amendment does is what the full Committee on Appropriations decided to do, given the fact that we had a similar, very informative, very heartfelt debate in the full Committee on Appropriations.

The best way to resolve this issue was to treat the District of Columbia in the same way that we treat all other 50 States with regard to the use of Federal taxpayers funds.

What this amendment would do is to say that no Federal taxpayers' funds can be used in the District of Columbia for needle exchange programs. It obviously remains silent on local funds.

Much of the debate that we heard addressed Federal funds. We do not disagree with that, but we do feel that the majority of the Members would feel satisfied that they had acted as responsibly as possible with Federal funds but left the District of Columbia's own government to resolve this issue in the way they thought best.

We heard from the gentleman from Maryland. In Baltimore it works. Baltimore is an urban area with a very serious drug problem. We hear from the delegate from the District of Columbia. We have an urban area with a very serious drug problem. Given the unique and drastic crisis that they are facing, they have decided to take drastic, unique measures that may not be appropriate for other areas of the country that do not have the severity of this problem.

So should we not recognize that at the local level of government they ought to have some autonomy? I thought that we wanted to devolve as much responsibility and authority to the local level of government as possible. That is all we do. Let them decide how to use their own local funds and their own private funds. The legislation even affects private funds. It says all funds are prohibited.

Let them use private funds, let them use local funds. They cannot use Federal funds if this amendment passes.

That is why I would urge acceptance of this amendment as the best way to deal with a very difficult, complex subject.

I do not argue with the sincerity of the gentleman from Kansas that has offered this amendment, and I would trust that most cities in Kansas might be well represented by his conclusion, but we know that the people in the District of Columbia feel that their crisis dictates an alternative response.

We know Baltimore has decided to do that, and we know it has worked in Baltimore. We heard a passionate appeal, let Baltimore do it. Let D.C. do it. Let those local governments do what they think is in their best interest. That is the intent of this amendment. I would hope that all my colleagues would agree with the full Committee on Appropriations, vote for this amendment and do the right thing by the citizens of the District of Columbia.

Mr. TIAHRT. Mr. Chairman, I rise in opposition to the amendment.

I am very disappointed. I find out that this is the same language that is currently in the bill. On a voice vote my amendment went down, so he is, in effect, trying to put the same language back in the bill that is already in the bill. It is very redundant. I believe that the gentleman told me that it was not the same language. Maybe it was semantic, because there is a short, nonessential phrase that is missing, but essentially it is the same language that is in the bill.

I had hoped that we would deal more on an honest basis here and that I would have a clear understanding of what the gentleman was trying to do, but apparently there is some attempt to mislead the House and the chairman before we had a chance to raise a point of order.

Be that as it may, we will continue on and oppose the gentleman's amendment.

I would like to point out that constitutionally we have a responsibility, an oath that we swore when we took this office, to oversee the funds of the District of Columbia. It is called local control, and that is a misused term. This is a Federal area. It is the District of Columbia. According to the Constitution, in Article I, section 8, we have this responsibility, a responsibility that we cannot shirk.

We have to establish public policy. We have this responsibility to deal with what is going on here. This is a public policy that affects us all. It affects us all not only in our pocketbook but affects us all because this is the city, the capital city of the greatest democracy on this globe.

We have an obligation to talk about public policy here. It is very important to know that the facts of the studies that were brought forward here talked about the additional drug abuse that this policy has brought on, facts that cannot be disputed, that there are additional deaths, facts that cannot be disputed, and additional crime in the area where needles are distributed, and the fact that the police are forced, they are forced to turn their backs on this activity even though they know there is illegal drugs going on, even though they know there is illegal drug paraphernalia being transported and that there may be drug dealers who prey on the most innocent of our society, our children, that they are right there in the vicinity. Yet they must turn their head as a general unwritten policy.

It is a bad public policy. It is a bad public policy. That is why it is so important that we defeat the amendment that has just been presented by the gentleman from Virginia (Mr. MORAN), that we vote in favor of the Tiahrt amendment.

□ 2145

Mr. DIXON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would ask the gentleman, who keeps repeating the same nontruths, now; I have heard him in committee, in the Committee on Rules and on the floor cite a study: What study is the gentleman citing and who are the authors of the study that support the contention that the needle exchange programs do not work?

And while the gentleman is looking for it, once again I will say, I do not know if the gentleman has seen it, but there has been an op-ed piece in The New York Times by the authors, I believe, of the study that the gentleman has cited, at least the one listed by the gentleman.

The gentleman from Virginia (Mr. MORAN) read it to the gentleman, where they say that, in fact, ''As the authors of the Canadian study, we must point out that the officials have misrepresented our research.'' And it goes on and on.

My only point, and then I will yield to the gentleman, is the gentleman keeps repeating the big lie over and over and over again. The gentleman from Virginia got up and refuted it; I told the gentleman in my opening statement, as I said, 3 hours ago, but the gentleman keeps saying it. Now, is the gentleman referring to some other study? Is it the Montreal study that the gentleman is referring to? The gentleman has said it was.

Mr. TIAHRT. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I am be glad to yield to the gentleman from Kansas.

Mr. TIAHRT. It is the Montreal study. It is the Vancouver study. It was study done by the American Journal of Epidemiology. I am not sure I said that exactly correctly. But let me say one thing. I am not disputing that the gentleman has an editorial where he thinks that some of the conclusions may have been——

Mr. DIXON. Mr. Chairman, reclaiming my time, I do not have an editorial. I have an editorial opinion piece written by the authors of the study. And they go on to say that in 25 or 26 cities using the needle exchange program that infection dropped 5.8 percent. But they go on to say that needle exchange was not the whole thing.

My only point is, if we are having honest debate and exchanging ideas, for the gentleman to consistently get up and distort it, it is wrong.

Mr. TIAHRT. Mr. Chairman, will the gentleman continue to yield?

Mr. DIXON. I am pleased to yield to the gentleman from Kansas.

Mr. TIAHRT. I think the gentleman is interpreting what I am saying incorrectly. What I am saying is that we can draw our own conclusions from the facts that in 1988 they had only 18 deaths from drug use and by 1998, a decade later, it has increased dramatically to over 10 a week. Now, what conclusion can we draw from that?

I do not need an opinion piece in The New York Times to tell me that this activity is encouraging drug abuse and it ends up with more deaths.

Mr. DIXON. The bottom line is that the gentleman says that this study

supports his proposition. The people who conducted the study say it does not; that they approve of needle exchange programs; that it reduces HIV infection. That is the bottom line.

Ms. PELOSI. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield to the gentlewoman from California.

Ms. PELOSI. Mr. Chairman, if I may, I thank the gentleman for yielding. Further to the point that the gentleman has made, the authors of this study, one of them, in testimony before a Senate staff briefing in July, said, ''The conclusion of our study was entirely misrepresented in the U.S. Congress as evidence that needle exchange did not work.'' In fact, the author points out, ''In Canada, local governments acted on our research,'' the author is speaking, ''on our research by expanding needle exchange programs.'' That was the correct conclusion to be drawn from that research.

Mr. DIXON. Reclaiming my time, Mr. Chairman, my only point is that if we are going to have legitimate debate on public policy, let us have a legitimate debate and cite factual material. We should not just get up and distort it and mumble something and say it represents what it does not represent, particularly when we have been told three times.

PARLIAMENTARY INQUIRY

Mr. RIGGS. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. RIGGS. Mr. Chairman, I think Members may be a little confused at this point. It appears to me that we are having a debate on an amendment to an amendment which, while I supported it, the Chair ruled was defeated on a voice vote. So I am trying to confirm my understanding, number one.

And the second part of the parliamentary inquiry is at what point would the Chair intend, then, to put the question on the Moran amendment to the Tiahrt amendment, which again the Chair ruled had been defeated on a voice vote prior to the gentleman requesting?

The CHAIRMAN. The Chair will state this is not an amendment to the Tiahrt amendment. The Moran amendment is a separate amendment to the bill.

Mr. RIGGS. I see.

The CHAIRMAN. The Tiahrt amendment will be voted on on a postponed vote first; and then, if ordered, there will be a postponed recorded vote on the Moran amendment.

Mr. RIGGS. Further parliamentary inquiry, then Mr. Chairman, just to make sure we understand the sequence of votes. The vote on the Tiahrt amendment would precede the vote, then, on the Moran amendment.

The CHAIRMAN. If the vote on the Moran amendment is requested, it will follow the Tiahrt amendment which has been postponed.

Mr. RIGGS. Mr. Chairman, I move to strike the requisite number of words.

Mr. TIAHRT. Mr. Chairman, will the gentleman yield?

Mr. RIGGS. I yield to the gentleman from Kansas.

Mr. TIAHRT. Mr. Chairman, I would just like to say that the studies that I was using as the basis for my testimony are going to be submitted for the record, and the one that was conducted in Montreal, I would just like to read from it so the Members can understand. It is in the summary, and I will point to this.

It says, ''In summary, Montreal needle exchange program users appear to have higher HIV zero conversion rates than any program nonusers. This study also indicates that, at least in Montreal, HIV infection is associated with needle exchange program attendance.''

Now, I am just taking this at face value. It says if people show up, they have a higher chance of getting it, getting the HIV virus or HIV infection.

Mr. RIGGS. Mr. Chairman, reclaiming my time. I simply want our colleagues to be clear, since earlier one of the speakers on the other side referred to Dr. Varmus. Dr. Varmus does have a lot of credibility and respect in his very important position as the director of the National Institutes of Health, and as the gentleman from Kansas (Mr. TIAHRT) pointed out, we have made a bipartisan commitment in this Congress over the last 4 years to substantially increase Federal taxpayer funding for HIV-related research and, we hope, eventually a cure of that disease.

But the gentleman from Kansas is absolutely correct when he cites the leading spokesman for the Clinton Administration, General McCaffery, as being dead set in his opposition to needle giveaway or needle exchange programs. And I think that needs to be said, because there is, at least with respect to the drug czar or the chief drug spokesman and enforcement officer of the Clinton Administration, there is bipartisan agreement on his part with congressional Republicans that we should not endorse needle giveaway or exchange programs and, by inference, sanction drug use and all the social ills and consequences that result from that.

Mr. DIXON. Mr. Chairman, will the gentleman yield?

Mr. RIGGS. I yield to the gentleman from California.

Mr. DIXON. Well, I am glad that my friend from California marches to the step of the drug czar. I hope to remind him of that on some other issues that may come up before us here.

But the point I would like to make to the gentleman is that the drug czar should not dictate the policy of California as it relates to their own programs. And I do not think the drug czar should dictate how D.C. residents spend their money.

But let me just go further. We are all after the same thing: Cut down infectious disease infections and, in particular, HIV, and get people off of drugs. Now, which comes first, the chicken or the egg? If an individual is already addicted to drugs, the chances are greater before he dies from the drugs that he will die from HIV in Washington, D.C. So the clean needle is not to encourage anyone to use drugs, but maybe to keep them alive so they can get some rehabilitation.

I think it is absurd to suggest that people use drugs because they can get clean needles. That just does not happen. But the purpose that the District has, they believe that the exchange program works. And they are not trying to encourage the use of drugs. These people are going to use drugs. They are addicted. But we want them to use clean needles to keep them alive long enough so that we can withdraw them from drugs.

Mr. RIGGS. Reclaiming my time, I understand the gentleman. He makes a passionate point. We just respectfully disagree on that point. And I would point out that, again, I do not see how we can, because these funds are still subject to appropriation by the Congress, I do not see how we can support a policy that, as I certainly said earlier, facilitates, furthers illegal drug use and actually, as a matter of public policy, puts us as lawmakers and puts the funders, taxpayers in the District and Federal taxpayers, in the position of, as I said earlier, sort of engaging in enabling behavior.

And, furthermore, it sends the worst possible message that we could send to young people in the District of Columbia. And I hope we are going to get around to debating here in a short time the amendments to provide more hope, more educational opportunity to young people in the District of Columbia.

Mr. COBURN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I could not help hearing the numbers floated around by the studies. I dare to say that nobody in this body besides myself have actually read the studies on this; have actually read the scientific studies.

There have been two long-term prospective studies on this issue. And it is not about whether we feel it does something good, it is about whether scientifically it does. There have only been two studies done in North America that are long-term, large quantity studies in which the people who are studied at the end of the study are the same people who were studied at the beginning of the study.

Those two studies are Montreal and Vancouver. They are the only two studies in the world that are prospective, long-term, large quantity studies that have the same patients in them at the end of the study as they had at the beginning. All the other studies, that is not true. They have a different set of people in them.

And both those studies, the only two studies that are truly reputable under scientific standards that I have read, and I dare to say nobody else in this body has read, show without a doubt

that needle exchanges increase HIV infection. They do not decrease it.

Mr. DIXON. Mr. Chairman, will the gentleman yield?

Mr. COBURN. I yield to the gentleman from California.

Mr. DIXON. Mr. Chairman, I thank the gentleman for yielding. I just want to make clear what I said. I never made any representation that I read the studies. I made a representation that I had read an op-editorial piece by two people who claim that they did the study. And I claimed that based on that, that the gentleman from Kansas (Mr. TIAHRT) was misrepresenting it.

So maybe the gentleman is the only one that should be speaking on this issue, neither the gentleman from Kansas (Mr. TIAHRT) nor I should speak on it, but I never claimed to read the study.

Mr. COBURN. Mr. Chairman, let me reclaim my time, if I may, and tell the gentleman that I am sorry, I did not mean to mistake, in what I said, about the gentleman's intention.

What I think we need to be focusing on is we need to solve the drug problem. That is the real issue. Washington has this wonderful habit of fixing the wrong problems. The problem is drug addiction. It is not clean needles, it is not dirty needles, it is not HIV. It is drug addiction. We need to not confuse what the two issues are.

There is no question in the D.C. drug program that they left 45,000 needles out there last year that they did not re-collect. So 45,000 more needles are out there than were there at the beginning of the year previously, that are contaminated, that are dirty needles.

So I would want this body to know, we should not enable failure on drug addicts. And we should make sure we know that the issue is drug addiction and not enabling drug addiction. And that, in fact, clean needle studies, the only two reputable studies that have, in fact, been done that are cohort prospective longitudinal studies, that have the exact same people at the end of the study as they had at the beginning of the study, are the studies in Montreal and Vancouver, and they show increased HIV.

Ms. PELOSI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will be very brief, because the gentleman just referred to the so called only reputable studies that have been made and, of course, the people who did that study have already said that their conclusions have been misrepresented here.

Our colleagues are going to vote the way they vote, ignoring probably the fact that we are talking about an issue that has already been dealt with by this Congress. But I want the record to show that this Congress, and as my colleague has pointed out, that we have supported the National Institutes of Health. We take great pride in supporting the National Institutes of Health, and take great pride in advertising our support for increasing the funding for the National Institutes of Health.

□ 2200

Why, then, would we run away way from the conclusions of the National Institutes of Health? And the National Institutes of Health, the Director, Dr. Harold Varmus; the National Institute of Allergy and Infectious Diseases, Direcrtor Dr. Anthony Fauci, Dr. Allen Leshner, Director of the National Institute on Drug Abuse; Dr. Claire Broome, Acting Director of the Centers for Disease Control, another organization; Dr. Helene Gayle, National Center for HIV, STD and TB prevention; and the CDC.

So the National Institutes of Health and the CDC leadership in their official capacity issued a consensus statement which states, after reviewing all of the research, ''After reviewing all of the research, we have unanimously agreed that there is conclusive scientific evidence that needle exchange programs, as part of a comprehensive HIV prevention strategy, are an effective public health intervention that reduces the transmission of HIV and does not encourage the use of illegal drugs.''

The science says that needle exchange does not increase drug abuse. The National Institutes of Health consensus statement says, ''A preponderance of evidence shows either no change or decreased drug use. Individuals in areas with needle exchange programs have increased likelihood of entering drug treatment programs.''

The scientific and public health groups that support the needle exchange programs include the American Medical Association, the American Public Health Association, the National Academy of Sciences, the American Nurses Association, the American Academy of Pediatrics.

Scientific leaders in our country are united in their conclusion that needle exchange reduces HIV infection and does not increase drug abuse. Do not take public health out of the hands of the science and public health experts.

I urge my colleagues to separate themselves from any of these measures that prohibit the use of funds for HIV prevention and have needle exchange programs to do that.

Members are going to vote the way they are going to vote, for political or whatever reasons, and everybody has to decide on his or her own vote. But we cannot ignore the science. If they want to outweigh the science with other considerations, make sure they know the responsibility that they have when they do so.

But if we take pride in funding the National Institutes of Health, we at least should give some respect to the conclusions that they draw when they say the preponderance of scientific evidence, when we have studied all of the research, draws us to the conclusion that needle exchange programs reduce the spread of HIV and do not increase, and in fact in some instances reduce substance abuse.

PARLIAMENTARY INQUIRY

Mr. TIAHRT. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. TIAHRT. Mr. Chairman, there is a phrase I think is confusing in here and I am not sure the Members will understand what they are voting on. It says, ''distributing sterile needs the syringes.''

The CHAIRMAN. The gentleman will state his inquiry.

Mr. TIAHRT. My inquiry is, if this is a phrase that is unknown to the Members, will they have a good idea what they are voting on in this amendment?

The CHAIRMAN. The gentleman from Kansas (Mr. TIAHRT) has not stated a parliamentary inquiry, but there may be a request to modify the amendment.

MODIFICATION TO AMENDMENT OFFERED BY MR. MORAN OF VIRGINIA

Mr. MORAN of Virginia. Mr. Chairman, I ask unanimous consent to modify the amendment to correct a small typo in the way that it was actually typed up. It was typed up quickly. And I think the correction is at the desk.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Amendment, as modified, offered by Mr. MORAN of Virginia:

At the end of the bill, insert the following new section:

No Federal funds appropriated in this Act shall be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

Mr. TIAHRT. Mr. Chairman, reserving the right to object, is this a new amendment that we are now bringing forward or is this something that is a clarification of what was previously brought forward?

The CHAIRMAN. This is a modification of an existing amendment.

Mr. TIAHRT. Mr. Chairman, I think the gentleman is trying to rewrite his amendment to the point that I brought up earlier, in that this is exactly what is in the bill now. So why would we have another waste of the Members' time, when everyone is trying to get out of here and go back to their districts to carry on very important business, that we bring an amendment that is exactly like the language that is in the bill?

Mr. MORAN of Virginia. Mr. Chairman, will the gentleman yield?

Mr. TIAHRT. I yield to the gentleman from Virginia.

Mr. MORAN of Virginia. Mr. Chairman, I would like to explain to the gentleman from Kansas (Mr. TIAHRT) that the Parliamentarian has explained that this is not the exact language that is in the bill. And all we are trying to do, there was a typo here, it was clear that it was meant to say ''sterile needles or syringes.''

If this is not acceptable, we would simply have to introduce a new amendment, which we are prepared to do, just

to fix this small typo. I am not offering any new language to the amendment that was offered. But the amendment that was offered was cleared by the Parliamentarian as being different from what is in the bill.

Mr. TIAHRT. Mr. Chairman, further reserving the right to object, I think it is obvious that what the gentleman is doing. It is not the exact same language, but I would dare say that the gentleman from Virginia (Mr. MORAN) could not explain the significant difference between his amendment and what is currently in the bill.

And I would just go on to say that I think that what the gentleman is doing here is replacing the exact same language and it is a great waste of our time.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The CHAIRMAN. The amendment is modified.

The question is on the amendment offered by the gentleman from Virginia (Mr. MORAN), as modified.

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. MORAN of Virginia. Mr. Chairman, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 517, further proceedings on the amendment offered by gentleman from Virginia (Mr. MORAN) will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT OFFERED BY MR. LARGENT

Mr. LARGENT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment printed in House Report 105–679 offered by Mr. LARGENT:

Page 58, insert after line 10 the following:

The CHAIRMAN. Pursuant to House Resolution 517, the gentleman from Oklahoma (Mr. LARGENT) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Oklahoma (Mr. LARGENT).

Mr. TAYLOR of North Carolina. Mr. Chairman, if we can have an agreement that the time of the gentleman from Oklahoma (Mr. LARGENT) would be 15 minutes, the gentleman from California (Mr. BILBRAY) would be 10 minutes, and the gentleman from Georgia (Mr. BARR) would be 10 minutes, and the gentleman from Texas (Mr. ARMEY) will be 30 minutes equally divided between the two sides, if the gentleman from Virginia (Mr. MORAN) would agree to that, we could proceed and save a lot of time.

Mr. MORAN of Virginia. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of North Carolina. I yield to the gentleman from Virginia.

Mr. MORAN of Virginia. Mr. Chairman, I would agree with all of the preceding except for the last item. There are so many speakers on the Armey amendment, I wonder if the gentleman would consider, say, 50 minutes?

Mr. TAYLOR of North Carolina. Reclaiming my time, I will do anything to cut time, so I would do that.

Mr. MORAN of Virginia. Mr. Chairman, with that modification, we would have no objection on this side.

Mr. TAYLOR of North Carolina. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. TIAHRT) having assumed the chair, Mr. CAMP, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4380) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 1999, and for other purposes, had come to no resolution thereon.

LIMITING FURTHER AMENDMENTS AND DEBATE IN THE COMMITTEE OF THE WHOLE DURING FURTHER CONSIDERATION OF H.R. 4380, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1999

Mr. TAYLOR of North Carolina. Mr. Speaker, I ask unanimous consent that during the further consideration of H.R. 4380 in the Committee of the Whole, pursuant to H. Res. 517, no amendment shall be in order thereto except for the following amendments, which shall be considered as read, shall not be subject to amendment or to a demand for a division of the question in the House or in the Committee of the Whole, and shall be debatable for the time specified, equally divided and controlled by the proponent and a Member opposed thereto:

Mr. LARGENT, made in order under the rule for 15 minutes;

Mr. BILBRAY, made in order under the rule for 10 minutes;

Mr. BARR of Georgia regarding ballot initiative and the Controlled Substances Act for 10 minutes; and Mr. ARMEY made in order under the rule for 50 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1999

The SPEAKER pro tempore (Mr. TIAHRT). Pursuant to House Resolution 517 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4380.

☐ 2211

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4380) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 1999, with Mr. CAMP in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole House rose earlier today, pending was amendment No. 2 offered by the gentleman from Oklahoma (Mr. LARGENT).

Pursuant to the order of the House of today, the gentleman from Oklahoma (Mr. LARGENT) and a Member opposed each will control 7½ minutes.

Mr. LARGENT. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. BLILEY), chairman of the Adoption Caucus here at the U.S. House of Representatives and the chairman of the Committee on Commerce.

(Mr. BLILEY asked and was given permission to revise and extend his remarks.)

Mr. BLILEY. Mr. Chairman, I thank the gentleman for yielding.

First of all, let me say this: I rise in support of the amendment of the gentleman from Oklahoma (Mr. LARGENT). It has nothing to do with gender. It has everything to do with children.

My wife and I are proud parents of two adoptive children. But when they have two people, as is currently under the law in the District, who have no contract between them come together and petition and obtain a child through adoption, what are the rights of the child? The people decide that they no longer want to be together. What happens to the child? What rights does the child have?

That is a very, very serious thing. It has nothing to do with gender. It has nothing to do with whether single people adopt children or whether two women or two men. The thing is that there is no contract, there is nothing there legally to protect this child.

Remember this, the child may have been in a foster home. He has already been through possibly a traumatic experience. Now they are going to put him in another traumatic experience or her in another traumatic experience because there is nothing in the law to say what happens. What if one of the parents decides to go to California, another one is to go to Maine? What do you do?

I think it was never intended when the adoption laws were adopted. They just assumed that there were couples who would do the adoption, but times change.

I think the gentleman from Oklahoma (Mr. LARGENT) has a very good amendment, and I hope my colleagues would support it.

Mr. MORAN of Virginia. Mr. Chairman, I yield myself 1½ minutes.

□ 2215

Mr. Chairman, Americans categorically reject the notion that the government should take a greater role in deciding who can and cannot adopt children. By a margin of nearly four to one, voters say we should keep the system that we currently have rather than allow the Federal Government to take a greater role. Parenting skills, not marital status or sexual orientation, should be considered. The Largent amendment says if you are single, unattached and date around without any long-term commitment, you can still adopt children. But if you are in a long-term committed relationship and agree with your partner that you would like to raise a child together, you are then prohibited from adopting. We do not think this amendment works. It completely overrides the ability of domestic law judges who see these children interact with the prospective parents to determine what is in the best interest of the child. No matter how wonderful a prospective couple may be as potential parents, the judge cannot let them adopt. This amendment will not directly impact any of us but it will directly harm the thousands of orphaned and abandoned children currently living in the District of Columbia who desperately want to be adopted. This amendment denies those children the opportunity of finding a loving and happy home with two monogamous committed parents. We think this is an anti-child amendment, an anti-family amendment. We would urge a ''no'' vote.

Mr. Chairman, I reserve the balance of my time.

Mr. LARGENT. Mr. Chairman, I just would inquire, who has the right to close this debate?

The CHAIRMAN. The gentleman from Virginia (Mr. MORAN) has the right to close.

Mr. LARGENT. Mr. Chairman, I yield myself the balance of my time.

(Mr. LARGENT asked and was given permission to revise and extend his remarks.)

Mr. LARGENT. Mr. Chairman, this is a very short, very simple amendment. In fact it is only 30 words long. But it does, I admit, have far reaching ramifications about what the House decides today. Thirty words. It is not very complicated. In fact it is very, very simple. If you have not read it, let me read it for you. It says, ''None of the funds contained in this act may be used to carry out any joint adoption of a child between individuals who are not related by blood or marriage.'' That is the amendment.

Let me give my colleagues a little background about why we need to have this amendment. In 1895, Congress passed the first adoption laws for the District of Columbia. They were amended in 1954. Congress passed adoption laws for the District of Columbia. Congress did that. In 1991, there was a court case that arose in the District of Columbia. Two men, living together, petitioned an agency to adopt a young girl. They were denied. They appealed it. It went to the District Court of Appeals in the District of Columbia and in 1995, 2½ years ago, 3 years ago, a District Court of Appeals said that those two individuals had the right to jointly adopt the little girl. Now, let me make this perfectly clear. That there has never been, in the history of this country, a legislative body that has voted and passed a measure that said it is okay for unrelated individuals to jointly adopt a child. That was done through a District Court of Appeals in the District of Columbia. It has now been replicated in a couple of other States as well. But let me say, also, that this amendment does not single out homosexual couples. This could be a heterosexual couple that does not have a marriage contract that binds them together.

Another point that I want to make about why we need this amendment and what it does and what it does not do. Adoption, as the previous speaker on our side said, is all about the child. This is a good thing. If this is about protecting the rights of anybody, it is about protecting the rights of the child. That should be preeminent above everything else. And yet when I think about the idea of a child being adopted by two people, three people, four people, five people, where does it stop, any number of individuals who simply want to get together as a group and adopt a child. I mean, it could be Yankee Stadium. The crowd at Yankee Stadium decides they want to collectively adopt a child. I mean, where do you stop? Where do you rationally stop this argument? But they get together and decide they want to adopt a child. It really reminds me of one of the cultural things that our young people are doing today at rock concerts where they take a young person and they toss them into the crowd and they do this body surf across the crowd. That in effect is what we do when we say you can have joint adoption by two people that have no contractual relationship with one another. None. It is like throwing a child out into the crowd and just allowing that child to body surf along. We are trying to take a child that is obviously coming out of a very traumatic situation and place them in one, above all, that gives them a sense of stability. That is the whole concept of adoption, rescuing a child from a sense of helplessness and an unstable situation and putting them in a stable situation.

I want to say one other thing and I want to repeat this over and over again about what this amendment does and what it does not do, because there is a lot of misunderstanding about this particular point. If you do not remember anything else, remember this. That is, that this amendment does not exclude individuals from adopting a child. Because I know what the argument already is, that there are a lot of children in our inner cities today, crack babies, HIV babies, that they say nobody wants. Sure, we want to adopt a child into a home that has a mother and a father. We all know and agree upon the fact that the most conducive and healthy environment to raise a child is in a home that has a mother and a father significantly participating in that child's life and nurturing and providing for them. No question about that. I do not think there is any argument. But we do not always get what is perfect and not every child is wanted by a home with a mother and a father.

Mr. HEFNER. Mr. Chairman, will the gentleman yield?

Mr. LARGENT. I yield to the gentleman from North Carolina.

Mr. HEFNER. The gentleman made a statement that a single person would be able to adopt a child. I just want to ask a question, say a single person, and we have aided some people to adopt children from other countries and what have you, say a single person adopts a child and then in a year or so they get into a relationship, whether it be heterosexual or whatever. When they enter into this relationship, what happens to the child?

Mr. LARGENT. The child would still be in the custody of the original parent who had adopted that child.

The CHAIRMAN. The time of the gentleman from Oklahoma (Mr. LARGENT) has expired.

Mr. LARGENT. Mr. Chairman, if I could ask unanimous consent to address the question and finish the debate.

The CHAIRMAN. The gentleman may ask for unanimous consent only if time is congruently increased on both sides. The unanimous consent request would have to be for additional time on both sides.

Mr. MORAN of Virginia. Mr. Chairman, I ask unanimous consent to have an additional 30 seconds on each side.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. LARGENT. Mr. Chairman, I would just conclude. That single person would still have custody. The only way that the additional significant other would then be included as a parent is through a marriage contract between the two adults in that relationship, which is the same for myself and my wife or anybody else.

So in conclusion, Mr. Chairman, I would just urge my colleagues and remind my colleagues that we debated this issue before on the Defense of Marriage Act. The House spoke, the Senate spoke, and the President signed into law the Defense of Marriage Act that we recognize as a family a marriage as one man and one woman.

Mr. Chairman, my amendment makes it clear that when a child in the District of Columbia is adopted by more than one person, those adoptive parents must either be married to each other or be related by blood to each other.

Adoption is the process by which a child who does not have a family is taken into a family, becomes a member of a family. And in a family, whether it's a big family or just a single adoptive parent and child, all the members are related to one another. A child who is jointly adopted by people who are not related to each other is not so much entering a family as becoming a jointly-held item of property.

This is a situation which never existed in the law anywhere until a short time ago. No legislative body in this country has ever voted that unrelated people could jointly adopt a child. This weird policy was inflicted on the District by an ill-considered judicial opinion, and in that opinion, the judge explicitly said that Congress had not been specific enough in defining the rules of joint adoption in the District of Columbia. So it is up to us to repair the damage.

I want to make it perfectly clear—because in discussions of this issue there has been some misunderstanding or misrepresentation—that this amendment in no way prohibits or builds any kind of barrier to adoptions by single individuals, which are very important in the District. It is not intended to penalize anyone or to curtail anyone's rights, but rather to protect the rights of children to be adopted into a permanent, stable family.

Adopting a child is one of the most loving and generous things someone can do. Many of the Members of this body are adoptive parents, and that is not only to their credit as individuals, but to the credit of Congress as an institution. And since I have been a Member of Congress we have repeatedly voted to make it easier for eligible children to be adopted and to help those good people who give to children without a family a permanent and secure place as members of their own families. We have voted to ban racial discrimination that might prevent or delay a child's adoption. We have created tax credits for adoptive parents. And we have reformed the foster care system so children will no longer be stuck for years in a temporary, unstable situation instead of being adopted into a family. These were all bipartisan efforts, and they have been among the best things we have done over these past four years.

But while we have been working on helping children get into families, another conversation has been going on that seems to have turned the issue of adoption inside out. Adoption is intended to be for the benefit of children. The good that flows to the adoptive parents is real, but it is incidental to the good of the children. Adoption exists in order to protect the right of each child to grow up in a permanent, stable, loving family. Adoptive parents certainly derive a great deal of satisfaction, joy and fulfillment out of the relationship, but that is not why adoption exists. If anyone in this situation has a ''right'' that society needs to protect, it is the right of the child to be adopted. But instead, we are hearing more and more about the ''right'' of this or that person to adopt, and we find this adoption being approved and that one being opposed because of some agenda in cultural politics, without regard to the good of the child involved.

When that starts happening, we are getting way off the track. When adoption starts being about making a statement on some social issue, or taking a stand for enlightened attitudes, or striking a blow for progress, instead of being about finding the best possible home for this child here and now, then the children just become commodities in a marketplace. When that happens one of the most beautiful and loving things a person could do becomes twisted into an ugly form of exploitation. I am afraid that is the perspective those D.C. judges had when they wanted to experiment with the lives of children by inventing joint adoption by unrelated persons.

Adoption creates a legally-sanctioned, permanent family relationship. There are only two other things that do that: marriage and birth. Those are the only ways people can become related, united for life as part of the same family.

When a single person adopts a child, a family relationship is formed between that parent and child, as strong as the bond of birth or marriage. If that single adoptive parent should later marry, his or her spouse would be allowed to adopt the child without having to terminate the custody of the original adoptive parent. That ''spousal exception'' is the only way recognized in the law for a child who already has one parent—biological or adoptive—to acquire a second parent. But even this is not allowed if the child's other biological parent still retains any custodial rights, because the law does not recognize an instance in which a child has two fathers or two mothers at the same time. For that matter, five or six homosexual or heterosexual—persons who do not have a family relationship between themselves, then that child is not being adopted into a family because the individuals with whom the family relationship is being created do not have a relationship among themselves. If John Smith and Mary Jones live together—or for that matter, if they just happen to be best of friends—and they decide to adopt a child jointly, does that child become a member of the Smith family or the Jones family, or both, or neither? If there is no legally recognized relationship between Smith and Jones, then the relationship the child would have with them would not be a family relationship; it would be two distinct, overlapping, and mutually contradictory family relationships. If we can compare a family with a home, then this kind of arrangement is more like a time-share condominium.

To be adopted by two different people who are not members of the same family is equivalent to being made a member of two families. And that is a denial of the stability adoption is supposed to provide. It may be very satisfying for the various people who own a share in the child. But it is not the stable membership in a family that society owes to each child who is eligible for adoption.

I cannot close my remarks without addressing one other subject. As I have tried to state, this amendment is about children, because adoption is about children. But I am fairly confident someone is going to try to shift the conversation to the alleged right of gays to adopt, and try to portray me as attempting to persecute homosexuals or discriminate against them or otherwise show myself to be mean-spirited and intolerant. And since I know that argument is coming, let me answer it in advance.

This amendment, I repeat, does not prohibit single persons from adopting. It is not intended to make it harder for anyone to adopt a child because I really do believe that children without families have a right to be adopted, and we have a duty to see to it that as many of them as possible are adopted as expeditiously as possible.

Moreover, just so we understand this clearly, this amendment is not intended to make it more difficult for a gay man who lives together with another gay man in a committed relationship to adopt a child. If a judge finds that such a petitioner would make a suitable parent and that such a home would be a good home for a particular child, then, fine. This amendment will not get in the way of that adoption.

But that's not enough for some of the spokesmen of the gay movement. They think it's unfair that people of the same sex cannot be married to each other. Well, they are entitled to think that's unfair, and they are entitled to work to change the law. But meanwhile, that is the law and it is public policy, and I think we have a pretty strong consensus in this country in favor of that policy. But since they can't get same-sex marriage written into law, their next strategy is to try to find other areas of public life in which they can enact policies in which gay couples would be treated as if they were married or almost married or just as good as married, and so they work for things like domestic partner benefits. Well, they are entitled to do that, too, and sometimes they win, sometimes they persuade political majorities or corporate managers that treating live-in lovers on the same level as spouses is good policy. I don't agree with that conclusion, but it's a fair issue to debate.

But on joint adoption of children, we have to draw the line. Sure, it might give some gay rights activist a warm feeling to see gay couples treated just as if they were married.But these are real kids we are talking about here, real kids who have already had a rough start, who are already hurt by whatever it was that caused them to become eligible for adoption. Those kids have a right to a family. It is simply wrong to turn them into trophies from the culture war, to exploit them in order to make some political point.

So to the advocates of gay rights, let me say this. If you want to adopt a child, go file your petition and convince a judge that you will be a good mother or father to a child in need and then love that child and raise him or her up, and I assure you, I will thank you and praise you because there is probably nothing finer that you will ever do with your life. I know that I have done nothing finer than to be a father to my own children.

But if you want to turn some poor child into a pawn in some political prank, if you want to exploit the misfortune of an innocent child just to make a point about how persecuted you are, then shame on you. Go pick on someone your own size.

This House is pretty sharply divided about how best to protect the rights of gay people in our society, but over the past few years we have shown that we are pretty united in our commitment to protect the rights of children who need to be adopted. We do not have to reach an agreement today about the rights of gay people because that is not what this amendment is about. It's about adoption, something most of us already agree on. I hope the members of this House will understand that and support this amendment.

Mr. MORAN of Virginia. Mr. Chairman, I yield 1½ minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Chairman, I believe the gentleman from Oklahoma and I share the belief and hope that all children in this world grow up in a stable, loving family. For that, I applaud

his intent. But there is a reason why this amendment was defeated so soundly in committee that the Republican members did not even ask for a recorded vote in committee. The reason is this was poorly drafted. Members need to know despite the good intent of the gentleman, the impact of this measure would be, for example, to allow a philandering married husband who abuses his wife on a regular basis to be able to legally adopt a child. But if two nuns felt God's calling to adopt a disabled, blind child from Romania under this amendment, they would be prohibited from doing so.

Another example. Under this well-intended effort by the gentleman, the real result would be if a couple that had been married for a few years, had never been faithful to each other, both were alcoholics and both abused each other, wanted to adopt a child, they could. Yet a man and woman who lived committed to each other, yet for reasons perhaps that I would disagree with had never signed a marriage contract but yet they lived together faithfully for 30 years wanted to adopt a child, they could not. I would ask Members, which children would be better off, adopted by two nuns that felt God's calling or an abusive husband and wife?

It is not the intent of the gentleman from Oklahoma with which I disagree. It is the impact. Unfortunately intent is not good enough when you have real consequences, and the real consequences I believe of this amendment could be children, in this country, from Romania and throughout the world who desperately need a loving home in which to be raised would be denied that loving opportunity.

Mr. MORAN of Virginia. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Chairman, I rise in opposition to the Largent amendment which would prohibit joint adoptions in the District of Columbia by unmarried couples. As has been alluded to, this is really the same amendment that was rejected already by the Appropriations Committee, and voila, it is here on the floor. Most Americans agree that the Federal Government should stay out of family law decisions. In fact, Americans categorically reject the notion that the government should take a greater role in deciding who can and who cannot adopt children. By a margin of nearly four to one, it was 74 to 19 percent, the public believes that we should keep the system we currently have rather than allow the Federal Government to take a greater role. Congress has traditionally stayed out of family law, recognizing that State and local governments are best suited to address those issues. I think we all agree that the best interest of the child should be the deciding factor in setting adoption policy at the local level. This is best determined by local, trained professionals and not Members of Congress. Psychological Association reports that studies comparing groups of children raised by gay and by non-gay parents find no developmental differences between the two groups of children in their intelligence, social and psychological adjustment, popularity with friends, development of sex role identity or development of sexual orientation. In fact, in 48 states and the District of Columbia, lesbian and gay people are permitted to adopt when a judge finds that the adoption is in the child's best interest.

I want to point out that as of June, there were 3,600 children in the D.C. foster care system that were waiting to be adopted. It is hard enough to find good homes for the children and it would be a travesty to make children languish in institutions at great cost to taxpayers when they can have caring, loving homes.

Mr. Chairman, I urge my colleagues to leave family law decisions where they belong, at the local level and do not lose sight of the thousands of children in foster care who would be deprived of a good, loving, caring home if this amendment were to pass.

Vote ''no'' on the amendment.

Mr. MORAN of Virginia. Mr. Chairman, I yield 1½ minutes to the gentlewoman from New Mexico (Mrs. WILSON).

Mrs. WILSON. Mr. Chairman, I think that this amendment is an example of how bad cases can make bad law. I look forward to working with my colleague from Oklahoma on legislation that will comprehensively address the problems of child abuse and the child welfare system in this country, but I think this points out why we should not deal with these kinds of complex issues in an appropriations bill.

I say that having some experience with this issue, having until recently been the Cabinet Secretary for Child Welfare in the State of New Mexico. We are not talking here about the children for whom there is a long line of parents waiting for a healthy baby but of the thousands of children who languish in foster care who with good grace often fall in love with their foster parents.

☐ 2230

It is those situations, and the opportunity to have a forever set of parents who may not be married to one another, that is something that we should not prohibit in statute. We must look on a case-by-case basis at the best interests of each and every child, even if in a perfect world we cannot achieve perfection in our view of it for all children.

And so let us leave this to the case-by-case basis and not close off an alternative that is now available to judges in the District of Columbia. That is the current law, and I believe it should remain so until we very carefully look at our alternatives.

Mr. MORAN of Virginia. Mr. Chairman, this is the first I have heard the gentlewoman from New Mexico (Mrs. WILSON) speak on the floor, and we are very pleased to have her as our colleague.

Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. DIXON).

Mr. DIXON. Mr. Chairman, I do not think any of us, Mr. Chairman, can put it any better than the gentlewoman from New Mexico. The fact is that this is an attempt to turn around a case in the District of Columbia appellate court which said that they looked at the particular circumstances and they allowed a gay couple to adopt.

Under this proposed amendment married people could adopt, a gay individual could adopt, blood-related people could adopt. But who could not adopt? Two people who have a relationship, perhaps godparents under some circumstances, unrelated, not married. But most importantly, it is aimed at a court decision that said under the circumstances the placement with a gay couple was the best placement for that child.

Mr. Chairman, we should leave it to the court to decide and not legislate it here in Congress.

Mr. MORAN of Virginia. Mr. Chairman, may I inquire as to how much time is left?

The CHAIRMAN. The gentleman has 1½ minutes remaining.

Mr. MORAN of Virginia. Mr. Chairman, I yield the final 1½ minutes to the delegate from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, the Child Welfare League of America says of this amendment, ''This amendment would unnecessarily limit the pool of families available for these children who desperately need families.''

Make no mistake. This is a gay-bashing amendment, but it is going to take down a lot of kids with it.

This matter of adoption rests entirely with the courts. They do it on the best interests of the child. They will not allow a child to go except where a child must be.

In the District we have many hard-to-place kids. Three thousand six hundred kids are in foster care and are waiting to be adopted. Our whole foster care system is in receivership. Is this a family values Congress or not? Are two parents better than one? Is it not the child who matters? Studies have been done that show no developmental differences, for example, between gay and nongay parents.

The language here is aimed at gays. Who it hits are kids in the District. There are substantial advantages to a child in joint adoptions, even when the parents are not married. There are inheritance rights, there are insurance rights, there is Social Security. We ought to encourage the added security of joint adoptions, not discourage it.

This is family law. Do not bring it into this Chamber. Defeat this amendment. Save the kids.

Mr. NADLER. Mr. Chairman, I rise today to oppose the Largent Amendment to the D.C. Appropriations Bill. This legislation would prevent joint adoptions by individuals who are not related by blood and marriage. In effect, this

amendment, under the guise of ensuring the security of children, would prevent otherwise qualified couples from adopting the tens of thousands in need of adoption.

We are all aware that this amendment would prevent gay and lesbian couples from adopting children. I find it hard to believe that there are still members of this Congress who can believe that sexual orientation has a direct affect on a person's ability to raise a child. The American Psychological Association has conclusively decided that there is no scientific data which indicates that gay and lesbian adults are not fit parents. Research by the APA has also determined that having a homosexual parent has no affect on a child's intelligence, psychological adjustment, social adjustment, popularity with friends, development of sex-role identity and development of sexual orientation. To maintain assumptions otherwise is unfair, and scientifically unfounded.

It is my belief, and I'm sure that with a moment's consideration you will all agree, that the issue of adoption is best decided by parents and trained professionals on a case-by-case basis, based on the best interest of the child. We should not deprive children of families that are capable of raising them. How can you cheat a child out of a happy home and a caring family? How can you deny a person the right to share their love, their home, and the security they can offer a child?

Raising a child is a very personal issue, one that deserves the time and consideration of individual case-by-case evaluations. Anything else is simply discriminatory. I urge my colleagues to oppose the Largent Amendment, and let each child and each potential parent have the right to an individual evaluation.

Ms. PELOSI. Mr. Chairman, I rise in strong opposition to the Largent Amendment. One of the most important things we can do in this chamber is pass legislation which improves the welfare of children in our country. In the District of Columbia, there are 3,600 children in the foster care system, waiting for suitable parents to given them a home.

There are half a million children in foster are in this country, but four out of five of these children are never adopted. Why would we put new, unfounded, discriminatory limits on the number of families that can provide a good home to a child?

The answer, it seems, is to satisfy a social agenda which has singled out lesbians and gays as its current most favored target. It is unfortunate that once again we are debating not how to advance civil rights, but whether to take a step backward in time, and make policy based on prejudice, intolerance and ignorance of the facts. In the service of this social agenda, the amendment would create a senseless policy, interfering in the ability of parents and trained professionals to make family placement decisions, and affecting both heterosexual and homosexual unmarried adults.

The amendment is the essence of old fashioned discrimination, imposing clear limits on an individual's participation in society based on their group status, rather than their abilities.

But let me return to the welfare of children. All the evidence shows that lesbian and gay parents are as good at parenting as any other group of parents. The American Psychological Association reports that, ''the belief that children of gay and lesbian parents suffer deficits in personal development has no empirical foundation.''

Studies document that children of gay and lesbian parents show no marked difference in their psychological adjustment, intelligence, popularity with friends, or development of sex role identity, when compared with children of heterosexual parents. In addition, lesbian and heterosexual women do not differ markedly in their overall mental health, or in their approaches to child rearing.

In all these areas, the research finds no difference. There are half a million children waiting for homes and we are debating whether to let prejudice deny children a home with a family.

Mr. Chairman, this amendment puts a right wing social agenda above the welfare of children and families. I urge a ''no'' vote on the Largent Amendment.

Mr. LEVIN. Mr. Chairman, I oppose the Largent amendment. Whatever my personal opinion in this matter, decisions about who can and cannot adopt a child should be left to the states and not the Federal government. Americans do not want the Federal Government dictating adoption laws. These matters are properly left to the states and local adoption judges.

In addition, this amendment is written in such a way as to have a number of unintended and negative consequences. As has been pointed out, the Largent amendment would prohibit two nuns from adopting a child.

I don't believe we should hold the District of Columbia to a different adoption standard than we do with the other fifty states. I therefore urge my colleagues to oppose this amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, thank you for the opportunity to speak on this important amendment to H.R. 4380. Representative Largent has proposed an amendment to the D.C. Appropriations Act which will prohibit joint adoptions in the District by people who are not related by marriage or blood.

Congress has traditionally stayed out of family law, recognizing that state and local governments are better suited to address those issues. The ability of parents and trained professionals to make a decision of a case by case basis based on the best interests of the child, should be preserved. For 3 years, there have been attempts to attach language like the language that Representative LARGENT is introducing today. Each time such efforts have failed as it should! This type of legislation will put DC's children at risk.

In Washington, DC in June of this year, there were 3,600 children in the foster care system waiting to be adopted. These children need loving consistent care and a safe home. There is no reason to deny those potential adoptive parents the opportunity to raise a child in a loving home, and there simply is no reason to deny a child languishing in foster care the opportunity to be loved and nurtured and protected. All our children deserve to be cherished by parents that adore them.

Representative LARGENT may argue that this amendment will provide greater comfort and security for children. This is absurd. To even suggest that a healthy and loving unmarried couple should not be permitted to provide a child with an environment where he or she can have the chance to fully develop intellectually and socially is outrageous. In fact, 48 of the states and DC currently allow lesbian and gay people to adopt when the judge finds that the adoption is in the child's best interest.

This amendment makes no sense. It would allow single parent adoption and disallow joint adoption. Clearly, two parents, two loving legal guardians offer a child greater legal protection, security and benefits for a child than one parent. This amendment could never be in the best interest of any child.

The CHAIRMAN. All time having expired, the question is on the amendment offered by the gentleman from Oklahoma (Mr. LARGENT).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. MORAN of Virginia. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 517, further proceedings on the amendment offered by the gentleman from Oklahoma (Mr. LARGENT) will be postponed.

Pursuant to the order of the House of today, no further amendments shall be in order except for the following amendments which shall be considered read, shall not be subject to amendment or to a demand for division of the question, and shall be debatable for the time specified, equally divided and controlled by the proponent and a Member opposed thereto:

Mr. BILBRAY, made in order under the rule for 10 minutes; Mr. BARR, regarding ballot initiative and the Controlled Substances Act, for 10 minutes; and Mr. ARMEY, made in order under the rule for 30 minutes.

AMENDMENT OFFERED BY MR. BILBRAY

Mr. BILBRAY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BILBRAY:

Page 58, insert after line 10 the following:

BANNING POSSESSION OF TOBACCO PRODUCTS BY MINORS

SEC. 151. (a) IN GENERAL.—It shall be unlawful for any individual under 18 years of age to possess any cigarette or other tobacco product in the District of Columbia.

(b) EXCEPTION FOR POSSESSION IN COURSE OF EMPLOYMENT.—Subsection (e) shall not apply with respect to an individual making a delivery of cigarettes or tobacco products in pursuance of employment.

(c) PENALTIES.—Any individual who violates subsection (a) shall be subject to the following penalties:

(1) For any violation, the individual may be required to perform community service or attend a tobacco cessation program.

(2) Upon the first violation the individual shall be subject to a civil penalty not to exceed $50.

(3) Upon the second and each subsequent violation, the individual shall be subject to a civil penalty not to exceed $100.

(4) Upon the third and each subsequent violation, the individual may have his or her driving privileges in the District of Columbia suspended for a period of 90 consecutive days.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from California (Mr. BILBRAY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California (Mr. BILBRAY)

Mr. BILBRAY. Mr. Chairman, I yield myself as much time as I may consume.

Mr. Chairman, not too long ago the President of the United States made a statement to the news media that as far as he knew it was illegal for minors to smoke in every State in this Union. Well, sadly, Mr. Chairman, that is not true. In fact only 21 States of Union have minor possession and use of tobacco as being illegal.

That is embarrassing all of us in government. But what is even more embarrassing than the President not knowing this, what is even more embarrassing than States across this country still not having minors' use of tobacco as being illegal, what is really embarrassing, Mr. Chairman, is that the Federal District has not taken the time to make it illegal for minors to possess and smoke tobacco products.

The Federal Government, in our oversight, embarrassingly has created a refuge for underage smoking here in Washington, D.C. While Virginia has made it illegal, while Maryland has sent a strong message to its children that they should not smoke, those of us in Congress and Washington, D.C. have said, well, we have overlooked it.

And it is embarrassing, Mr. Chairman. I would like to point out that it is embarrassing not to those of us in government, it is embarrassing to the Lung Association, the American Cancer Society and the American Heart Society, and even the Campaign for Tobacco-Free Kids, which I am an original cosponsor of their bill. They are embarrassed with this bill because it points out that we have missed the mark here in Washington, D.C.

All my bill asks, Mr. Chairman, is the fact that we send a clear message to my children, to your children, that there are certain behaviors that are not appropriate for children. One is the purchase and the consumption and the possession of alcohol. Another is the purchase, the consumption and the possession of tobacco. And I think all of us should forget about the embarrassment and move forward to protect our children.

Mr. Chairman, we need to send a very clear message that this Congress feels it is inappropriate for underage children to smoke, to possess tobacco, and that only adults should participate in that behavior not just in Virginia and Maryland, but also here in Washington, D.C., the Nation's Capital.

I think this will help to send a message, a clear message, to all the legislatures that have overlooked this little detail, and they will do what other legislatures are doing now, and that is passing laws to send a clear message that, children, drinking is wrong for minors and so is smoking.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. Is the gentleman from Virginia opposed to the amendment offered by the gentleman from California?

Mr. MORAN of Virginia. I am in opposition to the amendment, Mr. Chairman.

The CHAIRMAN. The gentleman from Virginia will control 5 minutes.

Mr. MORAN of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to this amendment, as does the Campaign for Tobacco-Free Kids and the American Lung Association. Like the gentleman from California (Mr. BILBRAY), I was a cosponsor of the Healthy Kids Act. Many of us were. It would have established tough new penalties against companies for targeting tobacco products at our children.

But this amendment is different. Instead of penalizing the tobacco companies for targeting our children, the gentleman's amendment penalizes the children for possessing their products.

Mr. Chairman, before we go after kids for possessing these products, maybe we should go after the merchants who sell their tobacco products to under-aged children. That is what the Campaign for Tobacco-Free Kids is.

As my colleagues know, the Department of Health and Human Services did a survey and showed that 42 percent of retailers in the D.C. area sell tobacco products to minors. We are told that this is a major problem in the District of Columbia. And to blame it on the children without giving responsibility to the tobacco companies seems to be blaming the victim.

Mr. Chairman, after making children pawns of decades of sophisticated marketing techniques by the tobacco industry, it would really seem that to take them off the hook and to criminalize possession by children who are not old enough to know better, but certainly tobacco companies are, is misplaced enforcement.

Mr. Chairman, I reserve the balance of my time.

Mr. BILBRAY. Mr. Chairman, I yield myself such time as I may consume to ask the gentleman from Virginia (Mr. MORAN), is he opposed to the State of Virginia's law making it illegal for minors to possess and consume tobacco?

Mr. MORAN of Virginia. Mr. Chairman, will the gentleman yield?

Mr. BILBRAY. I yield to the gentleman from Virginia.

Mr. MORAN of Virginia. Mr. Chairman, I would say to the gentleman that we want enforcement first.

Mr. BILBRAY. I am just asking, is the gentleman opposed to the Virginia law?

Mr. MORAN of Virginia. I am not opposed to the Virginia law.

Mr. BILBRAY. Mr. Chairman, I yield 1 minute to the gentleman from Missouri (Mr. BLUNT).

Mr. BLUNT. Mr. Chairman, I also am glad to hear the gentleman from Virginia (Mr. MORAN) say what he had to say about the Virginia law.

Mr. Chairman, this just simply includes children in the chain of responsibility. It does not exclude the ability to hold others responsible.

In fact, in the District of Columbia and in all 50 States, because of a 1992 law passed by the Congress, it is illegal to sell tobacco products. The 19-year-old store clerk has a penalty if he sells tobacco products to the 17-year-old purchaser, but the 17-year-old purchaser has no penalty. In fact, the 17-year-old purchaser can stand in the parking lot of the convenience store and smoke the pack of cigarettes while the 19-year-old store clerk and the store manager and the store owner are paying fines or having the kind of penalties this Congress said should be on that side of the counter.

The gentleman's legislation just says that there should be penalties on both sides of the counter; that the only person involved in this transaction who has no consequences for their action should not be the teen smoker. I urge that we support this amendment.

Mr. MORAN of Virginia. Mr. Chairman, I yield 1 minute to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I certainly would like to know where my city council stands on this bill. Out of respect for me, I would have thought that the Member would have allowed me to present this matter to my city council instead of springing it on the Rules Committee and on me.

This bill requires that the city council spend money setting up a tobacco cessation program, and it lays out what the penalties should be. Maybe the penalties should be more. Maybe they should be less. Why should not my folks have the same opportunity the gentleman says Virginia had to decide whether or not to do this?

I cannot say they would not want to do this. They have just passed a whole spate of very good anti-tobacco laws.

I do not second-guess my own council, and I live in the District. Who is the gentleman, without even presenting the matter to the council, to presume to legislate for them? This is precisely the kind of disrespect for me personally and for my district that goes on in this body without people even thinking about it.

Give me the opportunity, I say to the Member, to present this to my city council. They may well go for it.

Mr. BILBRAY. Mr. Chairman, will the gentlewoman yield?

Ms. NORTON. I yield to the gentleman from California.

Mr. BILBRAY. Mr. Chairman, I would just say to the gentlewoman from Washington, after 23 years, and as a parent who brings his children here to live here periodically at times, I think that every child of D.C. should have the protection without waiting another 23 years for oversight.

The CHAIRMAN. The gentleman from California (Mr. BILBRAY) has less than 30 seconds remaining and the gentleman from Virginia (Mr. MORAN) has 2 minutes remaining.

Mr. MORAN of Virginia. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. WAXMAN),

who has been a long time leader in the fight for healthy children.

Mr. WAXMAN. Mr. Chairman, there is a lot we should do in order to reduce teen tobacco use and are obviously not doing it. This amendment is a step but I cannot tell if it is a step forward or a step back. It might result in fewer kids using tobacco. It might not. Overall, it is hard to see that this amendment will make much of a difference at all. It is the kind of a thing that a city council ought to deliberate on.

One thing is certain, this approach is not balanced. The focus is misplaced. All the emphasis is on punishing children and none is on stopping the tobacco industry from preying on them.

There is no evidence that this House is committed to protecting children from tobacco. Earlier this year, this House failed to provide the funds needed by the FDA for enforcement of laws prohibiting sale of tobacco to minors.

□ 2245

Then we failed to pass comprehensive tobacco legislation. And, just a few weeks ago, a sting conducted by the American Lung Association revealed that 15-year-olds could buy cigarettes right here in the Capitol. On the House side of our Capitol, a 15-year-old girl was able to buy cigarettes every time she tried.

Now, this Congress, which does not enforce current law in the Capitol, is telling the District of Columbia to adopt a new law to punish kids. They are not strengthening the laws against retailers, they are not enforcing existing laws against selling cigarettes to minors, they are not providing money for this unfunded mandate, they are not stopping tobacco company advertising, they are not changing the predatory behavior of the tobacco industry.

In considering the impact of this amendment, do not delude yourself. Do not believe that simply passing a law that shifts responsibility to the young will make a real difference. We are the adults, presumably, in this body, and we have not taken our responsibilities.

Mr. BILBRAY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as any of those of us that are parents would know, you do whatever, whenever and however you can, whenever you can, to help your children. D.C. has laws against sale. It has laws against buying tobacco. But, sadly, D.C. does not have laws against possession and consumption. The gentleman from California may blame this on one or the other.

Now is the time, either vote for kids not to smoke, or walk away and wash your hands. It is not time to play.

Mr. Chairman, I insert the following for the RECORD.

AMERICAN LUNG ASSOCIATION,
SAN DIEGO AND IMPERIAL COUNTIES,
August 5, 1998.

Hon. BRIAN BILBRAY,
House of Representatives,
District Office, San Diego, CA.

DEAR CONGRESSMAN BILBRAY: It has come to our attention that you are introducing an amendment to the Washington D.C. appropriations bill that would criminalize youth who buy tobacco but would add no penalties or enforcement against retailers who sell tobacco to minors.

As you know from the sting conducted by the American Lung Association, minors in D.C. and in other parts of the country can easily buy tobacco products. In San Diego, thanks to active enforcement programs directed towards retailers, the sales rate to minors has been drastically reduced to 21% from over 60% five years ago. However, even though sales to minors in our region are lower than other parts of the country, 21% is still unacceptably high.

Those who supply illegal substances to youth must be the primary focus of enforcement operations, whether the substance is alcohol, drugs, or tobacco. Penalizing users and not suppliers is *not* an effective enforcement strategy.

You have co-sponsored a bill, Hansen-Meehan-Waxman that correctly punishes the tobacco industry for its unconscionable targeting of American youth with a deadly and addictive substance. We would expect the same approach to the retailers that sell tobacco to minors.

Turning children into lifetime tobacco addicts has been the focus of a multi-billion dollar effort by the tobacco industry. Their campaign has included sophisticated marketing supplemented by efforts to weaken the enforcement of laws that prevent tobacco sales to minors. A major strategy of the tobacco industry is to penalize kids for succumbing to the sophisticated efforts of tobacco manufacturers and retailers, rather than holding the industry accountable.

We urge you to remove your amendment to the D.C. appropriations bill. If you have any questions, do not hesitate to contact me at 619–297–3901.

Sincerely,

DEBRA KELLEY,
Vice President, Government Relations.

AMERICAN LUNG ASSOCIATION,
Washington, DC, August 6, 1998.

DEAR REPRESENTATIVE: The American Lung Association opposes the Bilbray amendment to the District of Columbia Appropriations bill that penalizes kids for the possession of tobacco products.

Penalizing children has not been proven to be an effective technique to reduce underage tobacco usage. In fact, penalties may adversely effect existing programs that are proven to work and are required, such as compliance checks utilizing young people. The Bilbray amendment would make these checks illegal. The Synar Amendment on marketing tobacco to children could not be enforced because it would be illegal for supervised teens to attempt to purchase tobacco.

Attempts to put the blame on our children, the pawns of decades of sophisticated marketing by the tobacco industry, instead of the manufacturers and retailers, is just another smokerscreen by big tobacco. The tobacco industry favors shifting both the blame and the attention away from their marketing efforts onto the shoulders of young persons.

For example, a 1995 study by the Maryland Department of Health and Mental Hygiene discovered that 480 minors were penalized for possessing tobacco but no merchants were fined for selling tobacco to minors. On July 16 and 21, 1998, the American Lung Association conducted an undercover ''sting'' operation to determine whether teens could purchase tobacco in the U.S. Capitol complex. Five out of nine attempts were successful, and in the House office buildings, all attempts were successful. Here is clear proof that existing laws regarding selling to teens are not being enforced. Existing laws and regulations need to be enforced.

The tobacco industry favors criminalizing our kids. This alone should be adequate reason for you to reject the Bilbray amendment to the D.C. appropriations bill. The best solution for this Congress is to pass H.R. 3868, the Bipartisan NO Tobacco for Kids Act sponsored by Representatives Hansen, Meehan, Waxman and more than 100 other members of the House.

Sincerely,

JOHN R. GARRISON,
Chief Executive Officer.

CAMPAIGN FOR TOBACCO-FREE KIDS,
Washington, DC, August 6, 1998.

House of Representatives,
Washington, DC.

DEAR MEMBER OF CONGRESS: The Campaign for Tobacco-Free Kids opposes the amendment that may be offered later today by Representative BILBRAY to the District of Columbia appropriations bill (H.R. 4380). This amendment would penalize youth for possession of tobacco products without creating a thoughtful, comprehensive plan to reduce tobacco use among children and without first ensuring that adults who illegally sell tobacco to kids are held responsible.

There is no silver bullet to reducing tobacco use among kids, but this amendment, in the absence of other effective policies, will do little to end tobacco's grip on the children of D.C. There is little evidence to indicate that in the absence of a concerted, comprehensive program, penalizing kids will work to reduce tobacco use rates. Rather, experience from other cities indicates that only a comprehensive program which vigorously enforces laws against selling tobacco to kids through compliance checks of retailers, and which included restrictions on tobacco ads aimed at kids, will be effective.

The narrow focus of this bill will further divert resources away from effective enforcement of the current laws that prohibit retailers from selling to kids. Although the District of Columbia penalizes retailers for selling to kids, this law is not being enforced adequately. According to Department of Health and Human Services, compliance checks showed that 42.3 percent of retailers in D.C. sell tobacco products to minors.

Additionally, this amendment does not address the fact that the tobacco industry spends $5 billion a year marketing its products. Kids in D.C. continually see tobacco ads on billboards, but shelters, and storefronts. The tobacco industry's marketing tactics work: 85 percent of kids who smoke use the three most heavily advertised brands (Marlboro, Camel and Newport).

Any discussion of holding children responsible for their addiction to tobacco should only come after or as part of a comprehensive approach, which insures that adults are being held responsible for marketing and selling to children. Therefore, we ask that you oppose this amendment. Thank you.

Sincerely,

MATTHEW L. MYERS,
Executive Vice President.

Mr. BISHOP. Mr. Chairman, I am pleased to rise this evening in support of the Bilbray amendment.

I recognize in this amendment the heart and soul of a bill I introduced in June of 1997—H.R. 2034, the Tobacco Use by Minors Deterrence Act.

While the Bilbray amendment moves in the right direction, by providing community service, fines and loss of driver's license for kids who are caught with tobacco products, I urge my colleagues to consider the other aspects of the teen access problem that remain to be addressed.

The bill I authored provides loss of license to sell by retail outlets for repeated infractions.

It requires parental notification of violations by kids.

It requires training of employees, posting of notices, and lock-out devices for vending machines.

In short, it provides for a shared responsibility by kids, families, law enforcement, and retailers to protect the health, safety, and welfare of our kids against tobacco use while protecting the right of informed adults to make a choice.

I urge my colleagues to remember that tobacco is a legal product for informed, consenting adults.

The approach found in the Bilbray amendment, and in my bill, encourages respect for the law, but at the same time it recognizes that tobacco is a legal product, which is important to my Congressional District.

Mr. Chairman, I urge my colleagues to support the Bilbray amendment because it sends the right kind of message to underage youth.

Ms. JACKSON-LEE of Texas. Mr. Chairman, thank you for the opportunity to speak on this important amendment to H.R. 4380. Congressman BILBRAY has proposed an amendment to the D.C. Appropriations Act which will make it illegal for anyone under 18 years old to possess any cigarette or other tobacco product in the District of Columbia. This is a good desire but one that should be handled by the local D.C. Government.

I oppose Representative BILBRAY's amendment because this amendment will penalize youth for possession of tobacco products without creating a thoughtful comprehensive plan to reduce tobacco use among children and without first ensuring that adults who illegally sell tobacco products to children are held responsible.

Penalizing children has never proven to be an effective technique to reduce underage tobacco usage. In fact, we know that penalties may adversely affect exiting programs that are proven to work. Attempts to put the blame of the tobacco industry on our children, who are simply pawns of decades of sophisticated marketing by the tobacco industry is ineffective and wrong.

The narrow focus of this bill will further divert resources away from effective enforcement of the current laws that prohibit retailers from selling to kids. This law is not being enforced adequately in D.C. According to the Dept. of Health and Human Services, compliance checks showed that over 40 percent of retailers in DC sell tobacco products to minors. Why not help DC focus on making this law work against those who willingly sell tobacco to our children.

We should only hold children responsible for their participation in smoking after we have effectively held the adults who sell and manufacture tobacco responsible for their role in addicting our children to this lethal product.

The CHAIRMAN. All time having expired, the question is on the amendment offered by the gentleman from California (Mr. BILBRAY).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. BILBRAY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 517, further proceedings on the amendment offered by the gentleman from California (Mr. BILBRAY) will be postponed.

AMENDMENT OFFERED BY MR. BARR OF GEORGIA

Mr. BARR of Georgia. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BARR of Georgia:

Page 58, insert after line 10 the following:

SEC. 151. None of the funds contained in this Act may be used to conduct any ballot initiative which seeks to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 802) or any tetrahydrocannabinols derivative.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Georgia (Mr. BARR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia (Mr. BARR).

Mr. BARR of Georgia. Mr. Chairman, I am honored to yield two minutes to the gentleman from Illinois (Mr. HASTERT), who has been a leader in the war against mind-altering drug usage.

Mr. HASTERT. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, this piece of legislation says that basically the District of Columbia should not and shall not make marijuana a legal substance. Of course, marijuana federally is an illegal substance. This is a Federal district. I think that is just logical.

Let us talk a little bit about what marijuana is and what it does. If we think that kids should not smoke tobacco, then I think it is a logical step that probably we should not make this available for kids or anybody to be smoking marijuana.

A lot of people say marijuana produces no ill-effects to the people that use it. That is a fallacy. We find that marijuana affects motor coordination, reasoning and memory, and marijuana has a much higher level of carcinogens than tobacco.

Some people say marijuana is not a dangerous drug. Let me tell you, a study of patients in shock trauma who have been in automobile accidents found that 15 percent of those who have been in a car or motorcycle accident have been smoking marijuana. Seventeen percent have been smoking both marijuana and drinking. When the City of Memphis, Tennessee, tested all reckless drivers for drugs, it was discovered that 33 percent showed signs of marijuana use.

Now, I think this is just a logical step. If we want a drug-free America, if we want a drug-free workplace, if we want drug-free prisons and drug-free schools and drug-free highways, we probably ought to have a drug-free capital, to say to prohibit the legalization of marijuana in the District of Columbia, where millions of our constituents come, year in and year out, day in and day out, week in and week out. They ought to be safe.

We ought to do our best, not just for the safety of the citizens of the District of Columbia, but for the safety of our constituents who come here to visit, to come here to learn, school kids that come through this Capitol, and certainly people who come here to do business, the country's, the Nation's business, day in and day out.

Mr. MORAN of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to remind the gentleman that offered this amendment what I know the gentleman knows, and that is that this amendment is moot. There are an insufficient number of signatures gathered. The petition was rejected with a statistical level of 95 percent confidence that there were insufficient valid signatures of registered voters for the District as a whole.

I do not need to go into all of this. The conclusion is that the recommendation of the Board of Elections and Ethics is that the initiative measure be rejected, which would have allowed the medical use of marijuana.

So we are not talking about anything of consequence. The District of Columbia voters have voted. This has been rejected. This is the process that should have been pursued, instead of us trying to impose our will on the District of Columbia voters. They have acted as apparently you would like them to act, and, from your perspective, I am sure, have done the right thing.

This is moot, it is extraneous, it is late, and we have no reason to have taken this up. I wish the gentleman had withdrawn the amendment, as we requested.

Mr. Chairman, I yield the balance of my time to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I am absolutely amazed by the capacity of this body to debate settled issues. This is the second time that these folks have tried to gather enough signatures for medical marijuana in the District, and this is the second time it has failed.

My staff, in order to keep this from wasting the time of this body, went so far as to wake up the Board of Elections and have verified that there are not enough signatures. The fact that there are not enough signatures for the second time says pretty definitively that the residents of the District of Columbia have decided this issue.

The medical marijuana debate goes on. Anybody trying to do an innovative approach, unproven, I believe undergoing tests, but as yet unproven, and trying to do that in the District of Columbia, must surely know that this Congress is going to strike it down. That is exactly what happened, except the people struck it down first.

I am going to ask Members at 5 minutes to 11 to voice vote this, to consider it moot, so that we can go on with our business.

Mr. BARR of Georgia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it always strikes me as rather odd that people take hours and hours and hours debating amendments, and then, when one comes along that they disagree with, oh, they are so concerned about the Members having to be here.

Well, the fact of the matter is, Mr. Chairman, this is not a moot point. The fact of the matter is that, yes, it appears at this point in time that the signatures on the ballot are wrong and are invalid.

There is time to appeal that, plus the fact, Mr. Chairman, history dictates to us that these drug legalization people do not give up. What they will try and do is they will try and come back again and again and again. Even if the appeal of the invalidity of this ballot referendum is sustained, they will immediately, I am sure, begin the process once again.

All this amendment does is it prevents funds, appropriated funds, from being used in any way to fund a ballot initiative. It strikes not only at the ballot itself, but at using any funds for the development of that ballot, for publicity surrounding that ballot, the whole range of things that these drug legalization people do, over and over and over again.

If the folks on the other side are against legalization of marijuana, I do not understand why they would be opposed to this amendment. This amendment simply says that no monies appropriated under this bill shall be used for ballot initiatives for drug legalization. That includes marijuana. That includes all other Schedule I controlled substances, such as heroin, such as cocaine, such as crack cocaine, and the list goes on and on. That is what we are trying to get at. Oh, but a portion of the passion that they reserve for the tobacco issue would be dedicated to the issue of antidrug efforts, Mr. Chairman.

I would urge my colleagues that this is not a moot point. It is very much alive. This amendment is necessary.

I urge a yes vote on the amendment which will prohibit the use of funds for pro-drug legalization ballot initiatives in any way, shape or form.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. BARR).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ARMEY

Mr. ARMEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment printed in House Report 105–679 offered by Mr. ARMEY:

Page 58, after line 10, insert the following:

TITLE II—DISTRICT OF COLUMBIA STUDENT OPPORTUNITY SCHOLARSHIPS

SEC. 201. DEFINITIONS.

As used in this title—

(1) the term ''Board'' means the Board of Directors of the Corporation established under section 202(b)(1);

(2) the term ''Corporation'' means the District of Columbia Scholarship Corporation established under section 202(a);

(3) the term ''eligible institution''—

(A) in the case of an eligible institution serving a student who receives a tuition scholarship under section 203(c)(1), means a public, private, or independent elementary or secondary school; and

(B) in the case of an eligible institution serving a student who receives an enhanced achievement scholarship under section 203(c)(2), means an elementary or secondary school, or an entity that provides services to a student enrolled in an elementary or secondary school to enhance such student's achievement through instruction described in section 203(c)(2);

(4) the term ''parent'' includes a legal guardian or other person standing in loco parentis; and

(5) the term ''poverty line'' means the income official poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved.

SEC. 202. DISTRICT OF COLUMBIA SCHOLARSHIP CORPORATION.

(a) GENERAL REQUIREMENTS.—

(1) IN GENERAL.—There is authorized to be established a private, nonprofit corporation, to be known as the ''District of Columbia Scholarship Corporation'', which is neither an agency nor establishment of the United States Government or the District of Columbia Government.

(2) DUTIES.—The Corporation shall have the responsibility and authority to administer, publicize, and evaluate the scholarship program in accordance with this title, and to determine student and school eligibility for participation in such program.

(3) CONSULTATION.—The Corporation shall exercise its authority—

(A) in a manner consistent with maximizing educational opportunities for the maximum number of interested families; and

(B) in consultation with the District of Columbia Board of Education or entity exercising administrative jurisdiction over the District of Columbia Public Schools, the Superintendent of the District of Columbia Public Schools, and other school scholarship programs in the District of Columbia.

(4) APPLICATION OF PROVISIONS.—The Corporation shall be subject to the provisions of this title, and, to the extent consistent with this title, to the District of Columbia Nonprofit Corporation Act (D.C. Code, sec. 29–501 et seq.).

(5) RESIDENCE.—The Corporation shall have its place of business in the District of Columbia and shall be considered, for purposes of venue in civil actions, to be a resident of the District of Columbia.

(6) FUND.—There is established in the Treasury a fund that shall be known as the District of Columbia Scholarship Fund, to be administered by the Secretary of the Treasury.

(7) DISBURSEMENT.—The Secretary of the Treasury shall make available and disburse to the Corporation, before October 15 of each fiscal year or not later than 15 days after the date of enactment of an Act making appropriations for the District of Columbia for such year, whichever occurs later, such funds as have been appropriated to the District of Columbia Scholarship Fund for the fiscal year in which such disbursement is made.

(8) AVAILABILITY.—Funds authorized to be appropriated under this title shall remain available until expended.

(9) USES.—Funds authorized to be appropriated under this title shall be used by the Corporation in a prudent and financially responsible manner, solely for scholarships, contracts, and administrative costs.

(10) AUTHORIZATION.—

(A) IN GENERAL.—There are authorized to be appropriated to the District of Columbia Scholarship Fund—

(i) $7,000,000 for fiscal year 1999;

(ii) $8,000,000 for fiscal year 2000; and

(iii) $10,000,000 for each of fiscal years 2001 through 2003.

(B) LIMITATION.—Not more than 7.5 percent of the amount appropriated to carry out this title for any fiscal year may be used by the Corporation for salaries and administrative costs.

(b) ORGANIZATION AND MANAGEMENT; BOARD OF DIRECTORS.—

(1) BOARD OF DIRECTORS; MEMBERSHIP.—

(A) IN GENERAL.—The Corporation shall have a Board of Directors (referred to in this title as the ''Board''), comprised of 7 members with 6 members of the Board appointed by the President not later than 30 days after receipt of nominations from the Speaker of the House of Representatives and the Majority Leader of the Senate.

(B) HOUSE NOMINATIONS.—The President shall appoint 3 of the members from a list of 9 individuals nominated by the Speaker of the House of Representatives in consultation with the Minority Leader of the House of Representatives.

(C) SENATE NOMINATIONS.—The President shall appoint 3 members from a list of 9 individuals nominated by the Majority Leader of the Senate in consultation with the Minority Leader of the Senate.

(D) DEADLINE.—The Speaker of the House of Representatives and Majority Leader of the Senate shall submit their nominations to the President not later than 30 days after the date of the enactment of this Act.

(E) APPOINTEE OF MAYOR.—The Mayor shall appoint 1 member of the Board not later than 60 days after the date of the enactment of this Act.

(F) POSSIBLE INTERIM MEMBERS.—If the President does not appoint the 6 members of the Board in the 30-day period described in subparagraph (A), then the Speaker of the House of Representatives and the Majority Leader of the Senate shall each appoint 2 members of the Board, and the Minority Leader of the House of Representatives and the Minority Leader of the Senate shall each appoint 1 member of the Board, from among the individuals nominated pursuant to subparagraphs (A) and (B), as the case may be. The appointees under the preceding sentence together with the appointee of the Mayor, shall serve as an interim Board with all the powers and other duties of the Board described in this title, until the President makes the appointments as described in this subsection.

(2) POWERS.—All powers of the Corporation shall vest in and be exercised under the authority of the Board.

(3) ELECTIONS.—Members of the Board annually shall elect 1 of the members of the Board to be the Chairperson of the Board.

(4) RESIDENCY.—All members appointed to the Board shall be residents of the District of Columbia at the time of appointment and while serving on the Board.

(5) NONEMPLOYEE.—No member of the Board may be an employee of the United States Government or the District of Columbia Government when appointed to or during tenure on the Board, unless the individual is on a leave of absence from such a position while serving on the Board.

(6) INCORPORATION.—The members of the initial Board shall serve as incorporators and shall take whatever steps are necessary to establish the Corporation under the District of Columbia Nonprofit Corporation Act (D.C. Code, sec. 29–501 et seq.).

(7) GENERAL TERM.—The term of office of each member of the Board shall be 5 years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which the predecessor was appointed shall be appointed for the remainder of such term.

(8) CONSECUTIVE TERM.—No member of the Board shall be eligible to serve in excess of 2 consecutive terms of 5 years each. A partial term shall be considered as 1 full term. Any vacancy on the Board shall not affect the Board's power, but shall be filled in a manner consistent with this title.

(9) NO BENEFIT.—No part of the income or assets of the Corporation shall inure to the benefit of any Director, officer, or employee of the Corporation, except as salary or reasonable compensation for services.

(10) POLITICAL ACTIVITY.—The Corporation may not contribute to or otherwise support any political party or candidate for elective public office.

(11) NO OFFICERS OR EMPLOYEES.—The members of the Board shall not, by reason of such membership, be considered to be officers or employees of the United States Government or of the District of Columbia Government.

(12) STIPENDS.—The members of the Board, while attending meetings of the Board or while engaged in duties related to such meetings or other activities of the Board pursuant to this title, shall be provided a stipend. Such stipend shall be at the rate of $150 per day for which the member of the Board is officially recorded as having worked, except that no member may be paid a total stipend amount in any calendar year in excess of $5,000.

(c) OFFICERS AND STAFF.—

(1) EXECUTIVE DIRECTOR.—The Corporation shall have an Executive Director, and such other staff, as may be appointed by the Board for terms and at rates of compensation, not to exceed level EG–16 of the Educational Service of the District of Columbia, to be fixed by the Board.

(2) STAFF.—With the approval of the Board, the Executive Director may appoint and fix the salary of such additional personnel as the Executive Director considers appropriate.

(3) ANNUAL RATE.—No staff of the Corporation may be compensated by the Corporation at an annual rate of pay greater than the annual rate of pay of the Executive Director.

(4) SERVICE.—All officers and employees of the Corporation shall serve at the pleasure of the Board.

(5) QUALIFICATION.—No political test or qualification may be used in selecting, appointing, promoting, or taking other personnel actions with respect to officers, agents, or employees of the Corporation.

(d) POWERS OF THE CORPORATION.—

(1) GENERALLY.—The Corporation is authorized to obtain grants from, and make contracts with, individuals and with private, State, and Federal agencies, organizations, and institutions.

(2) HIRING AUTHORITY.—The Corporation may hire, or accept the voluntary services of, consultants, experts, advisory boards, and panels to aid the Corporation in carrying out this title.

(e) FINANCIAL MANAGEMENT AND RECORDS.—

(1) AUDITS.—The financial statements of the Corporation shall be—

(A) maintained in accordance with generally accepted accounting principles for nonprofit corporations; and

(B) audited annually by independent certified public accountants.

(2) REPORT.—The report for each such audit shall be included in the annual report to Congress required by section 210(c).

(f) ADMINISTRATIVE RESPONSIBILITIES.—

(1) SCHOLARSHIP APPLICATION SCHEDULE AND PROCEDURES.—Not later than 30 days after the initial Board is appointed and the first Executive Director of the Corporation is hired under this title, the Corporation shall implement a schedule and procedures for processing applications for, and awarding, student scholarships under this title. The schedule and procedures shall include establishing a list of certified eligible institutions, distributing scholarship information to parents and the general public (including through a newspaper of general circulation), and establishing deadlines for steps in the scholarship application and award process.

(2) INSTITUTIONAL APPLICATIONS AND ELIGIBILITY.—

(A) IN GENERAL.—An eligible institution that desires to participate in the scholarship program under this title shall file an application with the Corporation for certification for participation in the scholarship program under this title shall—

(i) demonstrate that the eligible institution has operated with not less than 25 students during the 3 years preceding the year for which the determination is made unless the eligible institution is applying for certification as a new eligible institution under subparagraph (C);

(ii) contain an assurance that the eligible institution will comply with all applicable requirements of this title;

(iii) contain an annual statement of the eligible institution's budget; and

(iv) describe the eligible institution's proposed program, including personnel qualifications and fees.

(B) CERTIFICATION.—

(i) IN GENERAL.—Except as provided in subparagraph (C), not later than 60 days after receipt of an application in accordance with subparagraph (A), the Corporation shall certify an eligible institution to participate in the scholarship program under this title.

(ii) CONTINUATION.—An eligible institution's certification to participate in the scholarship program shall continue unless such eligible institution's certification is revoked in accordance with subparagraph (D).

(C) NEW ELIGIBLE INSTITUTION.—

(i) IN GENERAL.—An eligible institution that did not operate with at least 25 students in the 3 years preceding the year for which the determination is made may apply for a 1-year provisional certification to participate in the scholarship program under this title for a single year by providing to the Corporation not later than July 1 of the year preceding the year for which the determination is made—

(I) a list of the eligible institution's board of directors;

(II) letters of support from not less than 10 members of the community served by such eligible institution;

(III) a business plan;

(IV) an intended course of study;

(V) assurances that the eligible institution will begin operations with not less than 25 students;

(VI) assurances that the eligible institution will comply with all applicable requirements of this title; and

(VII) a statement that satisfies the requirements of clauses (ii) and (iv) of subparagraph (A).

(ii) CERTIFICATION.—Not later than 60 days after the date of receipt of an application described in clause (i), the Corporation shall certify in writing the eligible institution's provisional certification to participate in the scholarship program under this title unless the Corporation determines that good cause exists to deny certification.

(iii) RENEWAL OF PROVISIONAL CERTIFICATION.—After receipt of an application under clause (i) from an eligible institution that includes a statement of the eligible institution's budget completed not earlier than 12 months before the date such application is filed, the Corporation shall renew an eligible institution's provisional certification for the second and third years of the school's participation in the scholarship program under this title unless the Corporation finds—

(I) good cause to deny the renewal, including a finding of a pattern of violation of requirements described in paragraph (3)(A); or

(II) consistent failure of 25 percent or more of the students receiving scholarships under this title and attending such school to make appropriate progress (as determined by the Corporation) in academic achievement.

(iv) DENIAL OF CERTIFICATION.—If provisional certification or renewal of provisional certification under this subsection is denied, then the Corporation shall provide a written explanation to the eligible institution of the reasons for such denial.

(D) REVOCATION OF ELIGIBILITY.—

(i) IN GENERAL.—The Corporation, after notice and hearing, may revoke an eligible institution's certification to participate in the scholarship program under this title for a year succeeding the year for which the determination is made for—

(I) good cause, including a finding of a pattern of violation of program requirements described in paragraph (3)(A); or

(II) consistent failure of 25 percent or more of the students receiving scholarships under this title and attending such school to make appropriate progress (as determined by the Corporation) in academic achievement.

(ii) EXPLANATION.—If the certification of an eligible institution is revoked, the Corporation shall provide a written explanation of the Corporation's decision to such eligible institution and require a pro rata refund of the proceeds of the scholarship funds received under this title.

(3) PARTICIPATION REQUIREMENTS FOR ELIGIBLE INSTITUTIONS.—

(A) REQUIREMENTS.—Each eligible institution participating in the scholarship program under this title shall—

(i) provide to the Corporation not later than June 30 of each year the most recent annual statement of the eligible institution's budget; and

(ii) charge a student that receives a scholarship under this title not more than the cost of tuition and mandatory fees for, and transportation to attend, such eligible institution as other students who are residents of the District of Columbia and enrolled in such eligible institution.

(B) COMPLIANCE.—The Corporation may require documentation of compliance with the requirements of subparagraph (A), but neither the Corporation nor any governmental entity may impose requirements upon an eligible institution as a condition for participation in the scholarship program under this title, other than requirements established under this title.

SEC. 203. SCHOLARSHIPS AUTHORIZED.

(a) ELIGIBLE STUDENTS.—The Corporation is authorized to award tuition scholarships under subsection (c)(1) and enhanced achievement scholarships under subsection (c)(2) to students in kindergarten through grade 12—

(1) who are residents of the District of Columbia; and

(2) whose family income does not exceed 185 percent of the poverty line.

(b) SCHOLARSHIP PRIORITY.—

(1) FIRST.—The Corporation first shall award scholarships to students described in subsection (a) who—

(A) are enrolled in a District of Columbia public school or preparing to enter a District of Columbia public kindergarten, except that this subparagraph shall apply only for academic years 1998–1999, 1999–2000, and 2000–2001; or

(B) have received a scholarship from the Corporation for the academic year preceding the academic year for which the scholarship is awarded.

(2) SECOND.—If funds remain for a fiscal year for awarding scholarships after awarding scholarships under paragraph (1), the Corporation shall award scholarships to students who are described in subsection (a), not described in paragraph (1), and otherwise eligible for a scholarship under this title.

(3) LOTTERY SELECTION.—The Corporation shall award scholarships to students under this subsection using a lottery selection process whenever the amount made available to carry out this title for a fiscal year is insufficient to award a scholarship to each student who is eligible to receive a scholarship under this title for the fiscal year.

(c) USE OF SCHOLARSHIP.—

(1) TUITION SCHOLARSHIPS.—A tuition scholarship may be used for the payment of the cost of the tuition and mandatory fees for, and transportation to attend, an eligible institution located within the geographic boundaries of the District of Columbia; Montgomery County, Maryland; Prince Georges County, Maryland; Arlington County, Virginia; Alexandria City, Virginia; Falls Church City, Virginia; Fairfax City, Virginia; or Fairfax County, Virginia.

(2) ENHANCED ACHIEVEMENT SCHOLARSHIP.—An enhanced achievement scholarship may be used only for the payment of the costs of tuition and mandatory fees for, and transportation to attend, a program of instruction provided by an eligible institution which enhances student achievement of the core curriculum and is operated outside of regular school hours to supplement the regular school program.

(e) NOT SCHOOL AID.—A scholarship under this title shall be considered assistance to the student and shall not be considered assistance to an eligible institution.

SEC. 204. SCHOLARSHIP AWARDS.

(a) AWARDS.—From the funds made available under this title, the Corporation shall award a scholarship to a student and make scholarship payments in accordance with section 205.

(b) NOTIFICATION.—Each eligible institution that receives the proceeds of a scholarship payment under subsection (a) shall notify the Corporation not later than 10 days after—

(1) the date that a student receiving a scholarship under this title is enrolled, of the name, address, and grade level of such student;

(2) the date of the withdrawal or expulsion of any student receiving a scholarship under this title, of the withdrawal or expulsion; and

(3) the date that a student receiving a scholarship under this title is refused admission, of the reasons for such a refusal.

(c) TUITION SCHOLARSHIP.—

(1) EQUAL TO OR BELOW POVERTY LINE.—For a student whose family income is equal to or below the poverty line, a tuition scholarship may not exceed the lesser of—

(A) the cost of tuition and mandatory fees for, and transportation to attend, an eligible institution; or

(B) $3,200 for fiscal year 1999, with such amount adjusted in proportion to changes in the Consumer Price Index for all urban consumers published by the Department of Labor for each of fiscal years 2000 through 2003.

(2) ABOVE POVERTY LINE.—For a student whose family income is greater than the poverty line, but not more than 185 percent of the poverty line, a tuition scholarship may not exceed the lesser of—

(A) 75 percent of the cost of tuition and mandatory fees for, and transportation to attend, an eligible institution; or

(B) $2,400 for fiscal year 1999, with such amount adjusted in proportion to changes in the Consumer Price Index for all urban consumers published by the Department of Labor for each of fiscal years 2000 through 2003.

(d) ENHANCED ACHIEVEMENT SCHOLARSHIP.—An enhanced achievement scholarship may not exceed the lesser of—

(1) the costs of tuition and mandatory fees for, and transportation to attend, a program of instruction at an eligible institution; or

(2) $500 for 1999, with such amount adjusted in proportion to changes in the Consumer Price Index for all urban consumers published by the Department of Labor for each of fiscal years 2000 through 2003.

SEC. 205. SCHOLARSHIP PAYMENTS.

(a) PAYMENTS.—The Corporation shall make scholarship payments to the parent of a student awarded a scholarship under this title.

(b) DISTRIBUTION OF SCHOLARSHIP FUNDS.—Scholarship funds may be distributed by check, or another form of disbursement, issued by the Corporation and made payable directly to a parent of a student awarded a scholarship under this title. The parent may use the scholarship funds only for payment of tuition, mandatory fees, and transportation costs as described in this title.

(c) PRO RATA AMOUNTS FOR STUDENT WITHDRAWAL.—If a student receiving a scholarship under this title withdraws or is expelled from an eligible institution after the proceeds of a scholarship is paid to the eligible institution, then the eligible institution shall refund to the Corporation on a pro rata basis the proportion of any such proceeds received for the remaining days of the school year. Such refund shall occur not later than 30 days after the date of the withdrawal or expulsion of the student.

SEC. 206. CIVIL RIGHTS.

(a) IN GENERAL.—An eligible institution participating in the scholarship program under this title shall not discriminate on the basis of race, color, national origin, or sex in carrying out the provisions of this title.

(b) APPLICABILITY AND CONSTRUCTION WITH RESPECT TO DISCRIMINATION ON THE BASIS OF SEX.—

(1) APPLICABILITY.—With respect to discrimination on the basis of sex, subsection (a) shall not apply to an eligible institution that is controlled by a religious organization if the application of subsection (a) is inconsistent with the religious tenets of the eligible institution.

(2) CONSTRUCTION.—With respect to discrimination on the basis of sex, nothing in subsection (a) shall be construed to require any person, or public or private entity to provide or pay, or to prohibit any such person or entity from providing or paying, for any benefit or service, including the use of facilities, related to an abortion. Nothing in the preceding sentence shall be construed to permit a penalty to be imposed on any person or individual because such person or individual is seeking or has received any benefit or service related to a legal abortion.

(3) SINGLE-SEX SCHOOLS, CLASSES, OR ACTIVITIES.—With respect to discrimination on the basis of sex, nothing in subsection (a) shall be construed to prevent a parent from choosing, or an eligible institution from offering, a single-sex school, class, or activity.

(c) REVOCATION.—Notwithstanding section 202(f)(2)(D), if the Corporation determines that an eligible institution participating in the scholarship program under this title is in violation of subsection (a), then the Corporation shall revoke such eligible institution's certification to participate in the program.

SEC. 207. CHILDREN WITH DISABILITIES.

Nothing in this title shall affect the rights of students, or the obligations of the District of Columbia public schools, under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

SEC. 208. RULE OF CONSTRUCTION.

(a) IN GENERAL.—Nothing in this title shall be construed to prevent any eligible institution which is operated by, supervised by, controlled by, or connected to, a religious organization from employing, admitting, or giving preference to, persons of the same religion to the extent determined by such institution to promote the religious purpose for which the eligible institution is established or maintained.

(b) SECTARIAN PURPOSES.—Nothing in this title shall be construed to prohibit the use of funds made available under this title for sectarian educational purposes, or to require an eligible institution to remove religious art, icons, scripture, or other symbols.

SEC. 209. REPORTING REQUIREMENTS.

(a) IN GENERAL.—An eligible institution participating in the scholarship program under this title shall report to the Corporation not later than July 30 of each year in a manner prescribed by the Corporation, the following data:

(1) Student achievement in the eligible institution's programs.

(2) Grade advancement for scholarship students.

(3) Disciplinary actions taken with respect to scholarship students.

(4) Graduation, college admission test scores, and college admission rates, if applicable for scholarship students.

(5) Types and amounts of parental involvement required for all families of scholarship students.

(6) Student attendance for scholarship and nonscholarship students.

(7) General information on curriculum, programs, facilities, credentials of personnel, and disciplinary rules at the eligible institution.

(8) Number of scholarship students enrolled.

(9) Such other information as may be required by the Corporation for program appraisal.

(b) CONFIDENTIALITY.—No personal identifiers may be used in such report, except that the Corporation may request such personal identifiers solely for the purpose of verification.

SEC. 210. PROGRAM APPRAISAL.

(a) STUDY.—Not later than 4 years after the date of enactment of this Act, the Comptroller General shall enter into a contract, with an evaluating agency that has demonstrated experience in conducting evaluations, for an independent evaluation of the scholarship program under this title, including—

(1) a comparison of test scores between scholarship students and District of Columbia public school students of similar backgrounds, taking into account the students' academic achievement at the time of the award of their scholarships and the students' family income level;

(2) a comparison of graduation rates between scholarship students and District of Columbia public school students of similar backgrounds, taking into account the students' academic achievement at the time of the award of their scholarships and the students' family income level;

(3) the satisfaction of parents of scholarship students with the scholarship program; and

(4) the impact of the scholarship program on the District of Columbia public schools, including changes in the public school enrollment, and any improvement in the academic performance of the public schools.

(b) PUBLIC REVIEW OF DATA.—All data gathered in the course of the study described in subsection (a) shall be made available to the public upon request except that no personal identifiers shall be made public.

(c) REPORT TO CONGRESS.—Not later than September 1 of each year, the Corporation shall submit a progress report on the scholarship program to the appropriate committees of Congress. Such report shall include a review of how scholarship funds were expended, including the initial academic achievement levels of students who have participated in the scholarship program.

(d) AUTHORIZATION.—There are authorized to be appropriated for the study described in subsection (a), $250,000, which shall remain available until expended.

SEC. 211. JUDICIAL REVIEW.

(a) JURISDICTION.—

(1) IN GENERAL.—The United States District Court for the District of Columbia shall have jurisdiction in any action challenging the constitutionality of the scholarship program under this title and shall provide expedited review.

(2) STANDING.—The parent of any student eligible to receive a scholarship under this title shall have standing in an action challenging the constitutionality of the scholarship program under this title.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Texas (Mr. ARMEY) and a Member opposed will each control 15 minutes.

The Chair recognizes the gentleman from Texas (Mr. ARMEY).

Mr. ARMEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the hour is late, we are all very familiar with this issue. The issue is very simple. In addition to the already increase of $81 million for the D.C. public schools that you find in this bill, where the committee in their generosity increased public school funding by 14 percent over last year, I am asking again, as I have done before, that we take additional monies for the purpose of providing scholarships to the children and the families of children in the D.C. area that are low income families, so that those families might have the right and the privilege of seeking a better school opportunity for their children and moving their children to another school.

We are all familiar with the demand for this and the over 7,000 families that have already requested this formally. We are all familiar with the availability of space that we have in schools where the maximum grant of $3,200 would be ample for the child's tuition.

This is not something new. We have had this debate before. But let me just highlight a few things that have happened since the last time we had this debate.

□ 2300

A Washington Post poll has been released recently that shows that District residents support a scholarship program by a 56 to 36 margin. That same poll shows that African Americans support it by a 2 to 1 margin. Also in that poll, we discovered that 67 percent of parents of public school children support it.

Another point we should keep in mind is that the Wisconsin Supreme Court case was settled since we last discussed that with respect to the Milwaukee school choice program. By a vote of 4 to nothing, they said that it does not violate the establishment clause of the first amendment.

Mr. Chairman, I might make this final observation. Many people are saying to me, why do we want to have this vote again after the President so recently vetoed this legislation? Let me just say, Mr. Chairman, if I may, I am committed to these children. I know them. I know their families. I know how important it is in their lives. I cannot in good conscience talk about that commitment without seizing every opportunity I have before me to make this scholarship opportunity available for them.

I do not understand how any person watching this school system, which is already one of the most well-funded school systems in America, that received a 14 percent increase in its budget over last year to the tune of $81 million, can find it in their heart to say that an additional $7 million expressly available to poor families so they might exercise the same option that is so cavalierly exercised by wealthy people in this town, to choose a school themselves for their children, how they can vote against that?

I know we have those in this body that will be so devoid of heart and understanding and compassion that they will vote no, but Members will not find me nor the majority of people voting here tonight that are willing to turn their back on these children.

Mr. Chairman, I reserve the balance of my time.

Mr. MORAN of Virginia. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, I rise in opposition to this bill. Mr. Chairman, I have supported this amendment in the past because I think that we do need to provide alternatives for those children who are living in untenable situations, and their parents do need alternatives from what are currently provided to them in order to receive an adequate public education. But I do not support including this amendment in the District of Columbia Appropriations Act.

The President has said, if this amendment is included in this bill, I will veto this bill. So why would we force this bill into a veto situation when it includes $85 million for the District of Columbia public schools and $20 million for charter schools, which is a new initiative, which is education reform, which is terribly important, which we will lose if this is attached to the bill?

Today is the 6th of August. Tomorrow we are going to recess for an entire month. When we return we will have 4 weeks to conference this bill, to vote on the conference report and send the bill to the President. I would hope we do not send a bill that will be vetoed. I do not understand why this needs to be included. We had a separate piece of legislation that dealt with this issue. I think that is the appropriate way to do it, not to put it on an appropriations bill.

For that reason, Mr. Chairman, I have to oppose this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. ARMEY. Mr. Chairman, I yield myself such time as I may consume.

I appreciate the remarks of the gentleman from Virginia, but Mr. Chairman, we should not give up on the President of the United States. We should not forsake the hope that he could, in fact, have a change of heart and find a heart for these children. I, for one, will not give up that hope. I believe he is capable of caring.

Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. RIGGS).

Mr. RIGGS. Mr. Chairman, I again rise to thank the majority leader for his outstanding efforts on behalf of the District of Columbia children and families.

Mr. Chairman, I simply want to make sure that Members understand what we are talking about here. The Armey proposal would grant tuition scholarships to 2,000 children and tutoring assistance to an equal number of kids, kids that all too often are trapped in poor performing schools in the District of Columbia, and to quote the gentleman from Virginia (Mr. MORAN) from the debate a few weeks ago, are thereby consigned to a very bleak adult future.

Mr. Chairman, I know there is always pressure, particularly late in the session of Congress, to jettison proposals in the name of political expedience, but there is never a wrong time to do the right thing. We cannot, in good conscience, leave these kids behind.

We are talking about a school district with the lowest test scores and highest dropout rates of any large urban school district in the country, despite spending somewhere in the neighborhood of $9,000 per kid. How do we rationalize opposing this very modest proposal?

We have to give choice a chance in the District of Columbia. We know that D.C. parents want choice: 7,573 children applied for 1,000 private scholarships that recently became available in the District of Columbia. We know that competition will help improve, not dismantle, the public school district.

The bottom line again is, as the majority leader said, D.C. children deserve a chance. In fact, every child in America and every child in Anacostia or the

Southeast portion of the District of Columbia deserves a safe, sound education and a fair chance at the American dream. That is what the Armey opportunity scholarships will give needy children, children who should have a promise of a very bright future.

If we listen to the voices of choice, they are the parents who are demanding this. Virginia Walden, who has been mentioned before, said it best: Give parents like Virginia Walden the choice so their kids have a chance.

Mr. MORAN of Virginia. Mr. Chairman, I yield 1 minute to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, I rise in strong opposition to this amendment. We should be creating academic opportunities for all students, and not just a handful. We do that by improving our public schools, not by undermining them.

Mr. Chairman, my mother worked in a sweatshop earning 2 cents for each collar that she stitched. She never dreamed that one day her daughter would serve in the House of Representatives. That was possible because education is the great equalizer in this Nation.

No one would deny that our public school system needs help, but I challenge my Republican colleagues, do they truly want to improve educational opportunities for children in the District? If the answer is yes, then reduce class sizes so teachers can give the attention and discipline to kids that they need; put computers in the classrooms, so students can learn the skills of the 21st century; and enact high standards, and hold students and schools accountable.

Do not take funds from public schools and give them to private schools. Do not provide vouchers to just 2,000 D.C. students, and abandon 76,000 students who remain in our public schools. Vouchers will not solve the problems in our public schools, they will create new ones. Let us defeat this amendment and help our public schools.

Mr. ARMEY. Mr. Chairman, I yield myself such time as I may consume.

Let me concede from the outset that we are all just poor folks come to greatness, so we do not need any more testimonials about our hard times.

Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. FOSSELLA).

Mr. FOSSELLA. Mr. Chairman, I thank the gentleman from Texas, the majority leader, for yielding me the time.

Mr. Chairman, I rise in strong support of the amendment offered by the gentleman from Texas (Mr. ARMEY). I think everyone in this Chamber would agree, we all support the notion of improving education, but I think where we draw the line is when we have those who defend the status quo, a status quo that has failed generations of children, and then there are those who want to provide opportunities for young people, for families who do not have a choice, 2,000 of more than 7,500 children.

Common sense would dictate that anyone with a good conscience would provide an opportunity to such a youngster, to such a family who is yearning for a choice and a quality education. Yet, there are those who would stand in the way of such a choice and such an opportunity.

Mr. Chairman, very rarely do we get an opportunity to touch a child's life and to provide a sense of hope and a sense of commitment from the United States Congress, such that they can go on and live a productive life. This amendment would go a long way to assure such a thing.

Mr. MORAN of Virginia. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Chairman, it seems to me we have been down this road before, and here we go again. I rise in opposition to the experiment of the gentleman from Texas (Mr. ARMEY) to privatize public education, put vouchers into the hands of 2,000, when vouchers need to be in the hands of 80,000.

I really appreciate the concern for 2,000 of the students, but I would sure appreciate much more concern for 80,000 by reducing class size, having special programs, special tutoring, seriously paying teachers. That is how we improve education, not for 2,000, but for 200,000. Let us vote down this amendment and make America work for all of the students, and not just some.

□ 2310

Mr. ARMEY. Mr. Chairman, I yield 1 minute to the gentleman from Utah (Mr. COOK).

Mr. COOK. Mr. Chairman, I thank the majority leader for yielding me the time. I commend the majority leader for his solid work over many years on this really important subject.

A recent poll conducted by the Washington Post found that District residents support low-income scholarships by a 56-to-36 margin. African Americans support low-income scholarships by an even greater percentage, 2-to-1 margin, the poll found.

Recent polls across the country show that while people really believe that teachers are very much a part of this solution, those same polls show that some of the heavy-handed approaches of the teachers unions are very much a part of the problem.

I think rather than just pandering to these heavy-handed unions, we need to look at the consumers and realize this legislation provides opportunity scholarships for grades K through 12, for children whose family income is below 185 percent of poverty. Students can receive scholarships of up to $3200. We need to focus on these students and those parents that want these opportunities.

Mr. MORAN of Virginia. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. ROEMER).

(Mr. ROEMER asked and was given permission to revise and extend his remarks.)

Mr. ROEMER. Mr. Chairman, I rise in strong opposition to the amendment for three reasons:

First of all, for fairness. When we have tackled tough issues around here like IRS reform, reforming the Internal Revenue Service, we did not say we are going to fix it for 3 percent of the people. We did not say we are going to fix it for low-income or high-income people. We said we were going to fix it for everybody. Yet with this proposal, we fix it for 3,000 out of 78,000 students. That is not fair. That does not meet the fairness test.

Secondly, consistency. Let us be consistent in this body. When we look at vouchers in D.C., it seems like there is a standard that, yes, we will experiment a little bit on D.C., but when we tried private schools scholarships on the ESEA Act, that failed. When we said we want to try it in Wisconsin and California and Texas, Alabama, that did not pass this body. But when we try to say, let us try it in somebody else's backyard, in D.C., then Members are a little bit more, let us try it on them.

Let us not do that. Let us be consistent and let us not apply different standards to different parts of the country.

Thirdly, yes, let us look at total reform. Let us reach across the aisle, Democrats and Republicans, and let us try alternative route certification. Let us bring teachers in like Colin Powell, let us bring Jimmy Carter, who can teach in a college but cannot teach in a high school. Alternative route certification would allow that. Let us pay our Head Start teachers a decent wage so that zoo keepers and parking attendants are not making more than them.

Let us make sure that we have charter schools and public choice. Those things will reform schools for everybody, not just 3,000 out of 78,000 students.

Defeat the Armey amendment.

Mr. ARMEY. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. DAVIS), chairman of the authorizing committee for D.C.

Mr. DAVIS of Virginia. Mr. Chairman, let me just address a few issues raised by my friends from the other side. First of all, this bill is already fully loaded. This has given a new meaning to that term, it will pass here and it will be whittled down in conference, but the President has already offered, I think, to veto 7 appropriation bills as they have come through this year. I do not think that means that we stop under the threat every time that he raises it.

My friend has raised the issue of fairness because this only applies to 3,000 scholarship students who can use the money, I might add, not just to go to private school but for tutors, for computers, for other items they may not be able to receive through the District of Columbia public school system. But

what is fairness? No member of Congress, the President's kids, the Vice President's kids will attend the public schools in the District of Columbia. Fairness is giving to the poorest of the poor the same opportunities that our kids have. That is what fairness is. Not trying to equate 78,000 people and treat them all equally in a system right now that has the highest dropout rate in the country.

Finally, I just add, the schools have not opened on time for the last four years. We are putting more money in the public school system. It is our hope that it will help.

My friend also raised the issue of consistency in the ESEA Act. But consistency there is, what we said is, Federal dollars would not go in, but we encouraged State and local governments to be able to put dollars in for vouchers, if they felt it was effective.

In our case, it is only 6 percent of Federal money is in the State and local school systems nationally. In this case, we are the State for the District of Columbia. We have a unique leadership role in one of the poorest school systems in the United States.

This is a visionary plan. I am sorry it cannot have wider breadth. I am sure the majority leader would like to do that. But that only subjects it to more criticism from the other side of the aisle.

What we would like to do is to give the same kind of opportunities to the poorest of the poor in this city, the President and the Vice President and Members of Congress.

Mr. MORAN of Virginia. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

(Ms. WOOLSEY asked and was given permission to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Chairman, there was an interesting article in a newspaper in my district this week, August 6, I would like to quote, because it does pose a question about conflict of interest and why one of our Members on the other side of the aisle is so invested in vouchers for private schools.

I take just a piece of this article. I will read just a part it and put the rest into the RECORD.

FRANK RIGGS, a one-time member of the Windsor school board who opposed vouchers as recently as four years ago, has recently said he will become a board member and spokesman for CEO America, which is a group that finances private voucher programs in 31 cities.

It goes on and on. I am telling my colleagues, we have heard over and over from one Member of the other side of the aisle why vouchers are so very, very good for this country. I think it is because it is good, possibly, for somebody else.

Mr. ARMEY. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. PITTS) while I remind all of us that it is unseemly to question the motives of other Members of the Congress.

Mr. PITTS. Mr. Chairman, I rise in support of the amendment.

We have a moral responsibility to put children first in education, including our inner city D.C. kids. According to a Washington Post article, the D.C. school system is, and I quote, ''a well-financed failure.'' Despite spending approximately $9,000 per student, about 40 percent of the second and third graders tested in D.C. public schools last spring read too poorly to meet the proposed standard for promotion to the next grade. This would mean that about 5,000 of Washington's 13,000 second and third graders might have to repeat their grade due to poor teaching, 5,000.

Washington, D.C. kids are simply not being taught basic reading skills. I wonder how many of these students will slip through the cracks and graduate from high school without being able to read a newspaper. Many of their parents are helpless to take action to provide a good education. Let us give these D.C. parents a choice, the D.C. children a chance.

Support the amendment.

□ 2330

Mr. MORAN of Virginia. Mr. Chairman, I yield 1¾ minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT. Mr. Chairman, I rise in strong opposition to this amendment. In addition to the other arguments already made against the amendment, this amendment exempts the private schools from Federal enforcement of civil rights laws, even though they are receiving federally funded vouchers.

Through legislative trickery, the amendment declares these vouchers are assistance to the student and not assistance to the school and, therefore, the school will technically not be a recipient of Federal funds subject to Federal enforcement of civil rights laws. Although the amendment does contain general antidiscrimination language, it does not contain the very important substantive and procedural rights for parents.

For example, the Department of Justice and Office of Civil Rights of the Department of Education will be prevented from withholding funds or seeking an injunction, even when there is proven cases of discrimination. Those remedies and the important legal support are not available because of the nonassistance to school provision. So discrimination can only be addressed on a case-by-case basis by the few parents willing and able to finance the litigation.

Mr. Chairman, this amendment represents poor public policy because it diverts funds which could be put to better use and, furthermore, deceitfully suggests that children will be able to choose a private school of their choice, when the fact is that the choice will only be available for those who win the lottery, against 40 to 1 odds, and get admitted to a private school which has the tuition low enough for them to be able to afford the balance due after the voucher. And, finally, the amendment contains a provision which sabotages civil rights protections.

Mr. Chairman, we should support public education and reject this amendment.

Mr. ARMEY. Mr. Chairman, I yield 1 minute to the gentleman from Connecticut (Mr. SHAYS), who I am sure would not be so rude as to impugn another Member's integrity.

Mr. SHAYS. Mr. Chairman, I rise in strong support of the Armey proposal to provide $5.4 million for scholarships for D.C. students. Obviously, we are not talking about helping 100,000, we are not talking about helping 200,000, we are talking about a pilot program to determine the viability of a voucher program in our city, the city that is the capital city.

I just would say to my colleagues that it has taken me a long time to evolve from opposing vouchers to supporting them. About 8 years ago I questioned them, about 6 years ago I began to think they made sense, about 4 years ago I thought that we should do it but I did not have the political courage to confront the teachers' union, and it was only 3 years ago I finally said we have simply got to do it.

It is a pilot program. I strongly support it. I think it will make a big difference in the city.

Mr. MORAN of Virginia. Mr. Chairman, may I inquire as to how much time is left on each side?

The CHAIRMAN. The gentleman from Virginia (Mr. MORAN) has 6¾ minutes remaining, and the gentleman from Texas (Mr. ARMEY) has 2½ minutes remaining.

Mr. MORAN of Virginia. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, here we go again, yet another proposal tonight that violates the Republican principles of States' rights and local control.

This school voucher scheme that has been dreamed up by the majority leader, that would provide only $3,200 a year for poor students to attend private and religious schools, is well below what the local private schools charge to begin with and, in addition to that, it would take nearly $7 million from the school District's budget and give it to only 3 percent of the District students.

I think Members on this side of the aisle have made wonderful arguments about why this is not a sound proposal, but let me just ask my friends on the other side of the aisle who have talked about how much they care about these poor children, and how much they want them educated, and how much they want them to be a part of the American dream. Would my Republican colleagues please just let them have a summer job? As I understand it, they are taking away their right to work this summer, and they depend on that money so that they can have clothes to go back to school.

I tell my colleagues, do not worry about the voucher, just give them a summer job and we will be very happy.

Mr. MORAN of Virginia. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. ROTHMAN).

(Mr. ROTHMAN asked and was given permission to revise and extend his remarks.)

Mr. ROTHMAN. Mr. Chairman, today, unfortunately, the Republican leadership in the House has decided to take another step in giving up on public school education in America.

Mr. Chairman, public school education is the key that has unlocked the door for generation after generation of Americans, the door to the American dream. It was for me, it has been and will be for my children.

Besides, what will be next? Do we say to the person who does not like the books in the local public library that we will give them a voucher so they can buy books they like and create a private library in their own home? What about the person who does not like the folks who hang out in the public park? Will we give that person a voucher so they can buy their own swing set in their backyard and call it a private park? No. Because we are still a country that believes in the collective good and in the American dream.

Let us fix our public schools: competition through charter public schools. Let us not give up on America's public schools. I urge my colleagues to vote ''no'' on this amendment.

Mr. MORAN of Virginia. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Chairman, when my Republican colleagues talk repeatedly tonight about they are the party that cares about educating children, let me remind the American people these are the same people who, one, tried to abolish title I reading programs for children; two, tried to reduce school lunches; three, tried to reduce Head Start programs; four, proposed the largest education cuts in the history of America; five, tried to eliminate college work study programs; six, tried to cut college student loan programs; seven, they are trying to zero out this year's summer student job programs; and, finally, they even want to zero out LIHEAP programs that allow little children and children of all ages to get heating in the winter and air-conditioning in the summer.

If my colleagues believe that is a good track record for helping little children get a good education, perhaps they should vote for the latest program of the Republican Party to educate America's children.

Mr. MORAN of Virginia. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. ETHERIDGE), a former State secretary of education for that State.

Mr. ETHERIDGE. Mr. Chairman, I thank the gentleman from Virginia for yielding this time to me.

Mr. Chairman, I served as superintendent of schools for 8 years. I ran for this House for this very reason. My Republican colleagues ought to be ashamed of themselves. If they think it is such a good idea, they should make it for their hometown schools. They should make it for their hometown schools.

The children of this country deserve better. My colleagues take on the teachers. They punish the schools. They talk about public education. It is the one thing that levels the playing field for all kids and gives them an opportunity. It gave me an opportunity and it gave them one, and they ought to be ashamed of themselves for what they are trying to do.

I know what it takes to improve education. It is a good curriculum, it is funding the system, it is providing for educational opportunities, and it is measuring what children do. It is not taking away the opportunity, and it is not providing for just a few. It is making sure that many have the opportunity. And my colleagues ought to vote against this amendment.

Mr. MORAN of Virginia. Mr. Chairman, I can see the natives are being restless. We have very little time here left. Would the Chair clarify exactly how much time is left?

The CHAIRMAN. The gentleman from Virginia (Mr. MORAN) has 2¾ minutes remaining, and the gentleman from Texas (Mr. ARMEY) has 2½ minutes remaining.

Mr. ARMEY. Mr. Chairman, let me just advise the gentleman from Virginia (Mr. MORAN) that I have only one speaker remaining, and I reserve the right to close.

Mr. MORAN of Virginia. Mr. Chairman, could I clarify that. I think that this side has the right to close.

The CHAIRMAN. The gentleman from Virginia (Mr. MORAN) has the right to close.

Mr. ARMEY. Mr. Chairman, if that be the unfortunate fact of our parliamentary order, the gentleman will advise me, then, when he is down to one remaining speaker, and then I will yield my time.

Mr. MORAN of Virginia. Mr. Chairman, if the gentleman is prepared to give us his final flurry, what we can do is have one last speaker, the gentlewoman from the District of Columbia (Ms. NORTON), after the gentleman yields, and that will be closure.

□ 2330

Mr. ARMEY. Mr. Chairman, I yield the time I have remaining to the gentleman from Georgia (Mr. GINGRICH), the Speaker of the House.

Mr. GINGRICH. Mr. Speaker, since the gentlewoman gets to close, I want to devote my entire speech to asking her to explain, since this bill endorses a substantial increase in public spending, as you know, since this bill spends over $8,000 per child in the public schools.

We do not have an exact accurate figure because the school system that you represent is so badly run it cannot tell us how many children are in it. But the estimate that we have been able to find that is closest is $8,000 per child minimum, not counting the cost of retirement.

Since what the gentleman from Texas is proposing is to increase, let me make this clear, because a number of people on the left cannot tell the truth anymore about public education because they cannot defend the teachers unions with honesty, the fact is this bill increases, increases spending on education in the District. So by voting ''no'' you are denying the children of this District money. Let us be clear about that.

What you are proposing is to stop additional extra money. But there is something worse you are doing, and I do not for the life of me understand how you can do it.

I graduated from a public school. I taught in a public high school. My wife graduated from public school. Both my daughters graduated. Unlike some of our liberal friends who send their children to private schools while trapping the poor. But that is not the point.

The gentleman from North Carolina got up and said ''shame.'' Shame for what? You believe that government has the right to trap the poorest children in this country in a school, no matter how terrible it is. You believe that the schools that we could identify for you tomorrow morning, we will take you to them physically, we will have the parents who came and testified, the 8,000 children who applied for a private scholarship, you believe the Government has a right to trap those 8,000 children no matter how bad, no matter how dangerous, no matter how destructive the school.

By what right does the Government say to a child, we will cripple your future in the information age, you will not learn how to read, you will not really have a work ethic, you cannot do math?

But yet, that is what you do on behalf of the unions. Let us be honest what this is about. This is about power. If you had cared about the children, you would add $6 million.

Let me give you, if I might, one final example, because one of your Members besmirched the gentleman from California (Mr. RIGGS). They said he is for this because he is going to go off and help create a private scholarship. Let me just tell you, that is nonsense.

Ted Forsman and John Walton have already created 15,000 to 20,000 scholarships out of their own pocket. And, in fact, if you wanted to help, you would eliminate the need for him to go do it if you were willing to allow the children to have the scholarships. They are doing privately what you refuse to do publicly.

And when they offered 1,000, and I will close with this because these are your constituents, when they offered 1,000 scholarships, 8,000 people applied in a district that has 78,000. More than

one out of every ten people applied in the very first year because they were desperate to leave the schools you trapped them in.

So you explain why are you turning down extra money to give the poorest children of your city a decent chance to have a better future.

Mr. MORAN of Virginia. Mr. Chairman, at this time our side is honored and pleased to yield the balance of the time to the very distinguished delegate, the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I thank the gentleman for yielding.

By what right does the Speaker of the House come forward to personally impugn those who would disagree with him?

By what right does the Speaker, who has led this House in refusing to fund hundreds of programs that are on the books, dare to say that those who would apply money to the public schools where this House has always said it should be applied, by what right does the Speaker impugn the integrity of those who would fund what has always been funded by this House?

By what right does the Speaker accuse those of us who disagree with him of being in the pockets of the unions of this country?

This Member, this Member, this Member got 90 percent of the vote in the District of Columbia and does not have to answer to the unions any more than she has to answer to you, Mr. Speaker.

By what right, by what right, by what right does the majority leader bring to this floor a vouchers bill three months after the same bill was just vetoed, incurring a harmful delay for the very families and children he purports to want to help?

If you ask D.C. residents whether they would like some free money to send their children to private schools today, like most Americans, they would probably say yes. It is important also to tell them that most court decisions say no and that the President's veto means no.

There is something this House can do for D.C. kids. You can get on the train that is breaking through with tough, new standards and higher scores for our kids. You can get off the voucher train, which you know is headed straight for a veto.

On behalf of the children of the District of Columbia, I thank you for the hypocrisy of the debate we have witnessed this very evening.

Mr. STARK. Mr. Chairman, I am opposed to the Republican District of Columbia School Vouchers Act. It was brought to the floor on false logic and ignores the real problems in public education.

Let's take the Republican argument at face value for a minute. If public schools in the District of Columbia are unable to educate our children, as my colleagues claim, is the solution to remove 2,000 of them and place them in private schools? What do we do for the 76,000 students left behind?

In fact, these 76,000 will have to do with less funds available to help their education. It will cost $7 million to educate these 2,000 students in private schools—but this bill does not allow for additional funds to help the remaining children. How else could this $7 million be spent? The money could pay for after-school programs in each and every D.C. public school, 368 new boilers, could rewire 65 schools, upgrade plumbing in 102 schools, or buy 460,000 new textbooks.

The people who live in the District of Columbia do not want this bill. The people of the District of Columbia did get the chance to vote on vouchers when the issue was placed on the ballot. It was defeated by a margin of eight to one.

The residents of our host city do not deserve to be experiments for right-wing think tanks that promote ideas favored by the Christian Coalition and the religious right.

If my colleagues on the other side are truly interested in helping students enrolled in public schools, I offer some suggestions for them. Why don't we increase the funds available for teacher salaries? How about holding teachers to educational standards of their own to make sure that those who teach our children are actually qualified to do so? What about providing a textbook in every core subject for every school child in America?

What about adopting the President's plan to improve our educational infrastructure? We need to make sure that school classrooms are not falling apart and students have the resources they need, whether they be textbooks or access to the Internet, to be able to succeed in today's world.

My Republican friends could make a strong stand for education by adopting these policies. Instead they shower us with rhetoric about helping children, when this is really an attack on public education across the country.

The schoolchildren of the District of Columbia deserve our help and need our assistance. This is the wrong move, the wrong idea, and the wrong time and place. I urge my colleagues to take a real and meaningful stand for children and education.

Vote against the Armey Amendment to the FY '99 District of Columbia Appropriations Act.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise to speak against the Armey Amendment. The primary point of concern, for myself, and many other members of this body in regads to H.R. 4380, is the ''school scholarship'' or vouchers amendment that the President has already vetoed in this Session of Congress.

This provision would authorize the distribution of scholarships to low to moderate income families to attend public or private schools in nearby suburbs or to pay the costs of supplementary academic programs outside regular school hours for students attending public schools. However, only certain students will receive these tuition scholarships.

This legislative initiative could obviously set a dangerous precedent from this body as to the course of public education in America for decades to come. If the United States Congress abandons public education, and sends that message to localities nationwide, a fatal blow could be struck to public schooling. The impetus behind this legislative agenda is clearly suspect. Instead of using these funds to improve the quality of public education, this policy initiative enriches local private institutions over education for all. Furthermore, if this policy initiative is so desirable, why are certain DC students left behind? Can this plan be a solution? I would assert that it cannot. Unless all of our children are helped, what value does this grand political experiment have?

I see this initiative as a small step in trying to position the government behind private elementary and secondary schools. The ultimate question is why do those in this body who continue to support ''public education'' with their lipservice, persist in trying to slowly erode the acknowledged sources of funding for our public schools? Public education, and its future, is an issue of the first magnitude, one that affects the constituency of every member of this House, and thus deserves full and open consideration. Public school education has over the years been the consistent equalizing factor in giving all Americans a fair chance at success.

School vouchers, have not been requested by public mandate from the Congress, actually, they have failed every time they have been offered on a state ballot by 65% or greater. If a piece of legislation proposes to send our taxpayer dollars to private or religious schools, the highest levels of scrutiny are in order, and an amendment that may correct such a provision is unquestionably germane. Nine out of ten American children attend public schools, we must not abandon them, the reform of such schools is our hope.

Mr. CLAY. Mr. Chairman, I rise in opposition to Mr. ARMEY'S DC voucher amendment because it will do absolutely nothing to improve the quality of the educational opportunities in the District of Columbia. What this amendment will do, however, is, for the second time this year, allow the Republicans to trumpet one of the baseless partisan political themes.

Everyone here knows that federally funded school vouchers are not going to become law in the District of Columbia, or anywhere else for that matter.

The President vetoed a DC voucher bill that was presented to him earlier this year. No doubt, he will veto DC vouchers again.

I oppose vouchers because they would channel public tax dollars to private and religious schools. That's ridiculous to do when budgetary pressures make it hard enough to adequately fund our public schools.

In addition, we should not undermine the position of the very local officials principally responsible for the education of District students. The Mayor, city council, school board, and control board have all said ''no'' to vouchers. Let's say ''no'' too.

Defeat the Armey voucher amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. ARMEY).

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MORAN of Virginia. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. This is a 15-minute vote.

It will be followed by the resumption of proceedings on the four amendments on which requests for recorded votes were postponed.

The vote was taken by electronic device, and there were—ayes 214, noes 208, not voting 13, as follows:

[Roll No. 411]

AYES—214

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehner
Bonilla
Bono
Boyd
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Christensen
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Crane
Cubin
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Ensign
Everett
Ewing
Foley
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (TX)
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hyde
Inglis
Istook
Jenkins
Johnson, Sam
Jones
Kasich
Kelly
Kennedy (MA)
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
Lucas
Manzullo
McCollum
McCrery
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Myrick
Nethercutt
Neumann
Northup
Norwood
Nussle
Oxley
Pappas
Parker
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Sununu
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)

NOES—208

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Chenoweth
Clay
Clayton
Clement
Clyburn
Costello
Coyne
Cramer
Crapo
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Fawell
Fazio
Filner
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Hutchinson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Ney
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Thurman
Tierney
Torres
Towns
Traficant
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn

NOT VOTING—13

Conyers
Cunningham
Gonzalez
Hansen
Manton
McDade
Moakley
Packard
Smith (OR)
Stark
Thompson
Yates
Young (FL)

☐ 2357

Ms. MCKINNEY changed her vote from ''aye'' to ''no.''

Mr. KENNEDY of Massachusetts changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 517, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

Amendment No. 1 printed in House Report 105–679 offered by the gentleman from Kansas (Mr. TIAHRT); the amendment, as modified, offered by the gentleman from Virginia (Mr. MORAN); amendment No. 2 printed in House Report 105–679 offered by the gentleman from Oklahoma (Mr. LARGENT); amendment No. 3 printed in House Report 105–679 offered by the gentleman from California (Mr. BILBRAY).

AMENDMENT NO. 1 OFFERED BY MR. TIAHRT

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Kansas (Mr. TIAHRT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 250, noes 169, not voting 15, as follows:

[Roll No. 412]

AYES—250

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Blagojevich
Bliley
Blunt
Boehner
Bono
Boswell
Boyd
Brady (TX)
Bryant
Bunning
Burr
Burton
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth
Christensen
Clement
Coble
Coburn
Collins
Combest
Cook
Cooksey
Costello
Cox
Crane
Crapo
Cubin
Danner
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Etheridge
Everett
Ewing
Fawell
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson (WI)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Luther
Manzullo
Mascara
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Metcalf
Mica
Minge
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Ortiz
Oxley
Pappas
Parker
Pascrell
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce (OH)
Quinn
Radanovich
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sandlin
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Sununu
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Turner
Upton
Visclosky
Walsh

Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wise
Wolf
Young (AK)

NOES—169

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blumenauer
Boehlert
Bonilla
Bonior
Borski
Boucher
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Capps
Cardin
Carson
Castle
Clay
Clayton
Clyburn
Condit
Coyne
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Ensign
Eshoo
Evans
Farr
Fattah
Fazio
Filner
Foley
Ford
Frank (MA)
Frelinghuysen
Frost
Furse
Ganske
Gejdenson
Gephardt
Greenwood
Gutierrez
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Hooley
Houghton
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kolbe
Kucinich
LaFalce
Lampson
Lantos
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Maloney (CT)
Maloney (NY)
Markey
Martinez
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Miller (FL)
Mink
Moran (VA)
Morella
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Payne
Pelosi
Price (NC)
Rahall
Rangel
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Schumer
Scott
Serrano
Shays
Sherman
Sisisky
Skaggs
Slaughter
Smith, Adam
Snyder
Stabenow
Stokes
Stupak
Tauscher
Thurman
Tierney
Torres
Towns
Velazquez
Vento
Waters
Watt (NC)
Waxman
Wexler
Weygand
Woolsey
Wynn

NOT VOTING—15

Buyer
Conyers
Cramer
Cunningham
Gonzalez
Hansen
Manton
McDade
Moakley
Packard
Smith (OR)
Stark
Thompson
Yates
Young (FL)

☐ 0006

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PARLIAMENTARY INQUIRY

Mr. TIAHRT. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TIAHRT. Mr. Chairman, we are faced with an unusual parliamentary situation regarding the amendment that we just voted on regarding my amendment and the amendment of the gentleman from Virginia (Mr. MORAN). Is it not true that for my amendment to prevail and terminate the needle exchange program in the District of Columbia, that the Moran amendment must be defeated?

The CHAIRMAN. The amendment of the gentleman from Kansas (Mr. TIAHRT) to strike section 150 and insert new language was not finally adopted because his request for a recorded vote on the amendment was postponed. Because an amendment rewriting section 150 in its entirety had not been adopted, the Chair recognized the gentleman from Virginia (Mr. MORAN) to offer an amendment to strike the same section and insert slightly different language. The Moran amendment was not an amendment to the Tiahrt amendment. Such a second degree amendment would not have been permitted under the terms of the rule governing consideration of this bill. Rather, it is a separate amendment to section 150 of the bill.

If both amendments are adopted, the second amendment adopted, the Moran amendment, would supersede the first amendment, and would be the only amendment reported by the Committee of the Whole to the House.

AMENDMENT, AS MODIFIED, OFFERED BY MR. MORAN OF VIRGINIA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. MORAN) as modified, on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 173, noes 247, not voting 14, as follows:

[Roll No. 413]

AYES—173

Abercrombie
Ackerman
Andrews
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Boehlert
Bonilla
Borski
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Castle
Clay
Clayton
Clyburn
Condit
Coyne
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Dooley
Doyle
Edwards
Engel
Ensign
Eshoo
Evans
Farr
Fattah
Fazio
Foley
Ford
Frank (MA)
Frelinghuysen
Frost
Furse
Gallegly
Gejdenson
Gephardt
Gilchrest
Greenwood
Gutierrez
Harman
Hastings (FL)
Hefner
Hilliard
Hinojosa
Holden
Hooley
Horn
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Klug
Kucinich
LaFalce
LaHood
Lampson
Lantos
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Shays
Sisisky
Skaggs
Slaughter
Smith, Adam
Snyder
Strickland
Stupak
Tanner
Tauscher
Thomas
Thurman
Tierney
Torres
Towns
Upton
Velazquez
Vento
Watt (NC)
Waxman
Weldon (FL)
Wexler
Woolsey
Wynn

NOES—247

Aderholt
Allen
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blumenauer
Blunt
Boehner
Bonior
Bono
Boswell
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Carson
Chabot
Chambliss
Chenoweth
Christensen
Clement
Coble
Coburn
Collins
Combest
Cook
Cooksey
Costello
Cox
Crane
Crapo
Cubin
Danner
Deal
DeGette
DeLay
Diaz-Balart
Dickey
Doggett
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Etheridge
Everett
Ewing
Fawell
Filner
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Ganske
Gekas
Gibbons
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hinchey
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson (WI)
Johnson, Sam
Jones
Kasich
Kelly
Kennedy (RI)
Kim
King (NY)
Kingston
Knollenberg
Kolbe
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Markey
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Metcalf
Mica
Moran (KS)
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Pappas
Parker
Pascrell
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Poshard
Pryce (OH)
Quinn
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Sherman
Shimkus
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stokes
Stump
Sununu

Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thornberry
Thune
Tiahrt
Traficant
Turner
Visclosky
Walsh
Wamp
Waters
Watkins
Watts (OK)
Weldon (PA)
Weller
Weygand
White
Whitfield
Wicker
Wilson
Wise
Wolf
Young (AK)

NOT VOTING—14

Conyers
Cramer
Cunningham
Gonzalez
Hansen
Manton
McDade
Moakley
Packard
Smith (OR)
Stark
Thompson
Yates
Young (FL)

☐ 0015

Ms. VELAZQUEZ changed her vote from ''no'' to ''aye.''

So the amendment, as modified, was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. LARGENT

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Oklahoma (Mr. LARGENT) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 227, noes 192, not voting 15, as follows:

[Roll No. 414]

AYES—227

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bereuter
Berry
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bono
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clement
Coble
Coburn
Collins
Combest
Cook
Cooksey
Costello
Cox
Crane
Crapo
Cubin
Davis (FL)
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Etheridge
Everett
Ewing
Ford
Fossella
Fowler
Gallegly
Ganske
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson, Sam
Jones
Kasich
Kim
King (NY)
Kingston
Klug
Knollenberg
LaHood
Largent
Latham
Lazio
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Manzullo
Mascara
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Minge
Moran (KS)
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Ortiz
Oxley
Pappas
Parker
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Portman
Poshard
Quinn
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sandlin
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Stupak
Sununu
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thornberry
Thune
Tiahrt
Traficant
Turner
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Wicker
Wolf
Young (AK)

NOES—192

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Barrett (WI)
Bass
Becerra
Bentsen
Berman
Blagojevich
Blumenauer
Boehlert
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Camp
Campbell
Capps
Cardin
Carson
Clay
Clayton
Clyburn
Condit
Coyne
Cummings
Danner
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gejdenson
Gekas
Gephardt
Gilman
Green
Greenwood
Gutierrez
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Hobson
Hooley
Horn
Houghton
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kolbe
Kucinich
LaFalce
Lampson
Lantos
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Miller (FL)
Mink
Mollohan
Moran (VA)
Morella
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Porter
Price (NC)
Pryce (OH)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Schumer
Scott
Serrano
Shays
Sherman
Skaggs
Slaughter
Smith, Adam
Snyder
Stabenow
Stokes
Strickland
Tauscher
Thomas
Thurman
Tierney
Torres
Towns
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Whitfield
Wilson
Wise
Woolsey
Wynn

NOT VOTING—15

Bilbray
Conyers
Cramer
Cunningham
Gonzalez
Hansen
Manton
McDade
Moakley
Packard
Smith (OR)
Stark
Thompson
Yates
Young (FL)

☐ 0022

So the amendment was agreed to.

The result of vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. BILBRAY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. BILBRAY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 283, noes 138, not voting 13, as follows:

[Roll No. 415]

AYES—283

Aderholt
Andrews
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bono
Boswell
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clement
Coble
Coburn
Collins
Combest
Cook
Cooksey
Costello
Cox
Crane
Crapo
Cubin
Danner
Davis (VA)
Deal
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Evans
Everett
Ewing
Fawell
Foley
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inglis
Istook
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, Sam
Jones
Kasich
Kelly
Kennelly
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klug
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (NY)
Manzullo
Mascara
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis

McIntosh
McIntyre
McKeon
Menendez
Metcalf
Mica
Minge
Moran (KS)
Moran (VA)
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Oxley
Pappas
Parker
Pascrell
Pastor
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryun
Sabo
Salmon
Sandlin
Sanford
Saxton
Scarborough
Schaffer, Bob
Schumer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stabenow
Stearns
Stenholm
Stump
Sununu
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Turner
Upton
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
White
Whitfield
Wicker
Wilson
Wolf

NOES—138

Abercrombie
Ackerman
Allen
Baldacci
Barrett (WI)
Barton
Becerra
Bentsen
Berman
Blagojevich
Blumenauer
Bonilla
Bonior
Borski
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Carson
Clay
Clayton
Clyburn
Condit
Conyers
Coyne
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dingell
Dixon
Dooley
Engel
Ensign
Eshoo
Etheridge
Farr
Fattah
Fazio
Filner
Ford
Frank (MA)
Furse
Ganske
Gejdenson
Greenwood
Gutierrez
Hastings (FL)
Hefner
Hilliard
Hinchey
Hutchinson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kildee
Kilpatrick
Klink
LaFalce
Lee
Lewis (GA)
Maloney (CT)
Markey
Martinez
Matsui
McCarthy (MO)
McDermott
McHale
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Millender-McDonald
Miller (CA)
Miller (FL)
Mink
Mollohan
Morella
Murtha
Nadler
Neal
Northup
Oberstar
Obey
Olver
Owens
Pallone
Paul
Payne
Pelosi
Pomeroy
Rahall
Rangel
Rivers
Roybal-Allard
Rush
Sanchez
Sanders
Sawyer
Schaefer, Dan
Scott
Serrano
Sisisky
Skaggs
Skeen
Slaughter
Snyder
Spratt
Stokes
Strickland
Stupak
Tauscher
Thurman
Tierney
Torres
Towns
Velazquez
Vento
Waters
Watt (NC)
Waxman
Weygand
Wise
Woolsey
Wynn
Young (AK)

NOT VOTING—13

Cramer
Cunningham
Gonzalez
Hansen
Manton
McDade
Moakley
Packard
Smith (OR)
Stark
Thompson
Yates
Young (FL)

□ 0030

Mr. WAXMAN, and Ms. FURSE changed their vote from ''aye'' to ''no.''

Ms. HOOLEY of Oregon changed her vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read the final lines of the bill.

The Clerk read as follows:

This Act may be cited as the ''District of Columbia Appropriations Act, 1999''.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. CAMP, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4380) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 1999, and for other purposes, pursuant to House Resolution 517, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will then put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 214, nays 206, not voting 15, as follows:

[Roll No. 416]

YEAS—214

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson, Sam
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
Lucas
Manzullo
McCollum
McCrery
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Pappas
Parker
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Sununu
Talent
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)

NAYS—206

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Capps
Cardin
Carson
Castle
Chenoweth
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Crapo
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Duncan
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McHugh
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer

Schumer	Stenholm	Velazquez
Scott	Stokes	Vento
Serrano	Strickland	Visclosky
Sherman	Stupak	Watt (NC)
Sisisky	Tanner	Waxman
Skaggs	Tauscher	Wexler
Skelton	Taylor (MS)	Weygand
Slaughter	Thurman	Wise
Smith, Adam	Tierney	Woolsey
Snyder	Torres	Wynn
Spratt	Towns	
Stabenow	Turner	

NOT VOTING—15

Cramer	McDade	Stark
Cunningham	Moakley	Thompson
Gonzalez	Packard	Waters
Hansen	Pascrell	Yates
Manton	Smith (OR)	Young (FL)

□ 0049

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4049

Mr. STRICKLAND. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor from H.R. 4049. My name was inadvertently added as a cosponsor when I asked to cosponsor H.R. 872.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

DESIGNATION OF HONORABLE CONSTANCE MORELLA OR HONORABLE FRANK WOLF TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH WEDNESDAY, SEPTEMBER 9, 1998

The SPEAKER pro tempore (Mr. LAHOOD) laid before the House the following communication from the Speaker:

WASHINGTON, DC,
August 6, 1998.

I hereby designate the Honorable Constance A. Morella or, if not available to perform this duty, the Honorable Frank R. Wolf to act as Speaker pro tempore to sign enrolled bills and joint resolutions through Wednesday, September 9, 1998.

NEWT GINGRICH,
Speaker of the House of Representatives.

The SPEAKER pro tempore. Without objection, the designation is accepted.

There was no objection.

PERMISSION FOR COMMITTEE ON BANKING AND FINANCIAL SERVICES TO HAVE UNTIL AUGUST 21, 1998, TO FILE REPORTS ON H.R. 4321, FINANCIAL PRIVACY ACT OF 1998 AND H.R. 4393, FINANCIAL CONTRACT NETTING IMPROVEMENT ACT OF 1998

Mr. LEACH. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Financial Services have until August 21, 1998, to file reports on H.R. 4321, the Financial Privacy Act of 1998, and H.R. 4393, the Financial Contract Netting Improvement Act of 1998.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

CANADIAN RIVER PROJECT PREPAYMENT ACT

Mr. THORNBERRY. Mr. Speaker, I ask unanimous consent that the Committee on Resources be discharged from further consideration of the bill (H.R. 3687) to authorize prepayment of amounts due under a water reclamation project contract for the Canadian River Project, Texas, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

Mr. SKAGGS. Mr. Speaker, reserving the right to object, and I do not intend to object, I yield to the gentleman from Texas for a brief explanation of the bill if he would be so kind.

Mr. THORNBERRY. I thank the gentleman for yielding.

Mr. Speaker, H.R. 3687 by myself authorizes prepayment of amounts due under a water reclamation project contract for the Canadian River Project in Texas and is cosponsored by the gentleman from Texas (Mr. STENHOLM) and the gentleman from Texas (Mr. COMBEST).

Mr. Speaker, I would first like to recognize Mr. Stenholm and Mr. Combest, cosponsors of this bill, for all their work in bringing this bill to the floor and in this matter generally over the past two years.

This bill does not authorize transfer of the title to any Government property. It is strictly a bill to authorize prepayment of a debt. Title transfer is already authorized by the original Project authorization act and by the repayment contract to take place automatically when the debt is paid.

H.R. 3687 has the support of all the affected or involved parties. There is bipartisan support for the bill and the Bureau of Reclamation representatives have stated that the bill has their support.

Passage of H.R. 3687 is badly needed during the current session of Congress. Further delay will cause the eleven cities which are members of CRMWA to suffer unnecessary hardship, especially if the current drought in Texas were to continue into next year. H.R. 3687 and the subsequent title transfer will clear the way for CRMWA to provide additional supplies which will prevent water shortages.

Over five hundred thousand people rely on water from the Canadian River Municipal Water Authority. This legislation will ensure that they have access to a safe, clean and abundant supply of water. I urge your support for this important legislation.

Mr. SKAGGS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 3687

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PREPAYMENT OF CONTRACT FOR CANADIAN RIVER PROJECT, TEXAS.

(a) PREPAYMENT AUTHORIZED.—Prepayment of the amount due under Bureau of Reclamation contract number 14–06–500–485 for the Canadian River Project, Texas, may be made by tender of an appropriate discounted present value amount, as determined by the Secretary of the Interior.

(b) CONVEYANCE.—Upon payment of the amount determined by the Secretary of the Interior under subsection (a), the Secretary shall convey to the Canadian River Municipal Water Authority all right, title, and interest of the United States in and to the project pipeline and related facilities authorized by Public Law 81–898 and Bureau of Reclamation contract number 14–06–500–485, including the headquarters facilities of the Authority.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. THORNBERRY

Mr. THORNBERRY. Mr. Speaker, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. THORNBERRY: Strike out all after the enacting clause and insert:

H.R. 3687

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Canadian River Project Prepayment Act''.

SEC. 2. DEFINITIONS.

For the purposes of this Act:

(1) The term ''Authority'' means the Canadian River Municipal Water Authority, a conservation and reclamation district of the State of Texas.

(2) The term ''Canadian River Project Authorization Act'' means the Act entitled ''An Act to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Canadian River reclamation project, Texas'', approved December 29, 1950 (chapter 1183; 64 Stat. 1124).

(3) The term ''Project'' means all of the right, title and interest in and to all land and improvements comprising the pipeline and related facilities of the Canadian River Project authorized by the Canadian River Project Authorization Act.

(4) The term ''Secretary'' means the Secretary of the Interior.

SEC. 3. PREPAYMENT AND CONVEYANCE OF PROJECT.

(a) IN GENERAL.—(1) In consideration of the Authority accepting the obligation of the Federal Government for the Project and subject to the payment by the Authority of the applicable amount under paragraph (2) within the 360-day period beginning on the date of the enactment of this Act, the Secretary shall convey the Project to the Authority, as provided in section 2(c)(3) of the Canadian River Project Authorization Act (64 Stat. 1124).

(2) For purposes of paragraph (1), the applicable amount shall be—

(A) $34,806,731, if payment is made by the Authority within the 270-day period beginning on the date of enactment of this Act; or

(B) the amount specified in subparagraph (A) adjusted to include interest on that amount since the date of the enactment of this Act at the appropriate Treasury bill rate for an equivalent term, if payment is made by the Authority after the period referred to in subparagraph (A).

(3) If payment under paragraph (1) is not made by the Authority within the period specified in paragraph (1), this Act shall have no force or effect.

(b) FINANCING.—Nothing in this Act shall be construed to affect the right of the Authority to use a particular type of financing.

SEC. 4. RELATIONSHIP TO EXISTING OPERATIONS.

(a) IN GENERAL.—Nothing in this Act shall be construed as significantly expanding or otherwise changing the use or operation of the Project from its current use and operation.

(b) FUTURE ALTERATIONS.—If the Authority alters the operations or uses of the Project it shall comply with all applicable laws or regulations governing such alteration at that time.

(c) RECREATION.—The Secretary of the Interior, acting through the National Park Service, shall continue to operate the Lake Meredith National Recreation Area at Lake Meredith.

(d) FLOOD CONTROL.—The Secretary of the Army, acting through the Corps of Engineers, shall continue to prescribe regulations for the use of storage allocated to flood control at Lake Meredith as prescribed in the Letter of Understanding entered into between the Corps, the Bureau of Reclamation, and the Authority in March and May 1980.

(e) SANFORD DAM PROPERTY.—The Authority shall have the right to occupy and use without payment of lease or rental charges or license or use fees the property retained by the Bureau of Reclamation at Sanford Dam and all buildings constructed by the United States thereon for use as the Authority's headquarters and maintenance facility. Buildings constructed by the Authority on such property, or past and future additions to Government constructed buildings, shall be allowed to remain on the property. The Authority shall operate and maintain such property and facilities without cost to the United States.

SEC. 5. RELATIONSHIP TO CERTAIN CONTRACT OBLIGATIONS.

(a) PAYMENT OBLIGATIONS EXTINGUISHED.—Provision of consideration by the Authority in accordance with section 3(b) shall extinguish all payment obligations under contract numbered 14–06–500–485 between the Authority and the Secretary.

(b) OPERATION AND MAINTENANCE COSTS.—After completion of the conveyance provided for in section 3, the Authority shall have full responsibility for the cost of operation and maintenance of Sanford Dam, and shall continue to have full responsibility for operation and maintenance of the Project pipeline and related facilities.

(c) GENERAL.—Rights and obligations under the existing contract No. 14–06–500–485 between the Authority and the United States, other than provisions regarding repayment of construction charge obligation by the Authority and provisions relating to the Project aqueduct, shall remain in full force and effect for the remaining term of the contract.

SEC. 6. RELATIONSHIP TO OTHER LAWS.

Upon conveyance of the Project under this Act, the Reclamation Act of 1902 (82 Stat. 388) and all Acts amendatory thereof or supplemental thereto shall not apply to the Project.

SEC. 7. LIABILITY.

Except as otherwise provided by law, effective on the date of conveyance of the Project under this Act, the United States shall not be liable under any law for damages of any kind arising out of any act, omission, or occurrence relating to the conveyed property.

Mr. THORNBERRY (during the reading). Mr. Speaker, I ask unanimous consent that the amendment in the nature of a substitute be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. The question is on the amendment in the nature of a substitute offered by the gentleman from Texas (Mr. THORNBERRY).

The amendment in the nature of a substitute was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SPANISH PEAKS WILDERNESS ACT OF 1997

Mr. THORNBERRY. Mr. Speaker, I ask unanimous consent for the immediate consideration in the House of the bill (H.R. 1865) to designate certain lands in the San Isabel National Forest, in Colorado, as the Spanish Peaks Wilderness.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

Mr. SKAGGS. Mr. Speaker, reserving the right to object, and I do not intend to object, especially since this is legislation of which I am the primary sponsor, but I did want to take a minute to explain this bill which would add to the National Wilderness System an area of some spectacular mountains in south central Colorado, really unique in their geology and their beauty and their habitat for some very important species of wildlife.

This area was not included in the 1993 Colorado Wilderness Act because there were still some unresolved issues involving use of inholdings. Those have been essentially resolved. I appreciate very much the action of the Committee on Resources in moving this bill through to the floor.

I also wish to express my thanks to my colleague and principal cosponsor on this legislation the gentleman from Colorado (Mr. MCINNIS).

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 1865

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Spanish Peaks Wilderness Act of 1997''.

SEC. 2. DESIGNATION OF WILDERNESS.

(a) AMENDMENT.—Section 2 of the Colorado Wilderness Act of 1993 (Public Law 103–77) is amended by adding the following new paragraph at the end of subsection (a):

''(20) Certain lands in the San Isabel National Forest which comprise approximately 18,000 acres, as generally depicted on a map entitled 'Proposed Spanish Peaks Wilderness', dated May 1997, and which shall be known as the Spanish Peaks Wilderness.''.

(b) MAP AND DESCRIPTION.—As soon as practicable after the date of enactment of this Act, the Secretary of Agriculture shall file a map and a boundary description of the area designated as the Spanish Peaks Wilderness by paragraph (20) of subsection 2(a) of the Colorado Wilderness Act of 1993, as amended by this Act, with the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate. Such map and boundary description shall have the same force and effect as if included in the Colorado Wilderness Act of 1993, except that if the Secretary is authorized to correct clerical and typographical errors in such boundary description and map. Such map and boundary description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Department of Agriculture.

SEC. 3. CONFORMING CHANGE.

Section 10 of the Colorado Wilderness Act of 1993 (Public Law 103–77) is hereby repealed, and section 11 of such Act is renumbered as section 10.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. THORNBERRY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the two bills just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

GENERAL LEAVE

Mr. THORNBERRY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on S. 1379.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

HOUR OF MEETING ON TOMORROW

Mr. THORNBERRY. Mr. Speaker, I ask unanimous consent that when the House adjourns this legislative day, it adjourn to meet at 11 a.m. on Friday, August 7, 1998.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

AUTHORIZING THE SPEAKER AND MINORITY LEADER TO ACCEPT RESIGNATIONS AND MAKE APPOINTMENTS, NOTWITHSTANDING ADJOURNMENT

Mr. THORNBERRY. Mr. Speaker, I ask unanimous consent that notwithstanding any adjournment of the House until Wednesday, September 9, 1998, the Speaker, majority leader and minority leader be authorized to accept resignations and to make appointments authorized by law or by the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, SEPTEMBER 9, 1998

Mr. THORNBERRY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday, September 9, 1998.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

MISSILE DEFENSE

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, we are now living in a world where missile technology is proliferating and the risk of missile attack is increasing each and every day. The United States should be working to eliminate restrictions on the development and deployment of a national missile defense system.

Unfortunately, the President and his administration have sought to expand the restrictions and block U.S. missile defense programs. Just last year at the United Nations, a delegation led by our Secretary of State signed three agreements that dealt with the 1972 ABM treaty. Those U.N. agreements threaten America's national security and perpetuate America's vulnerability to a missile attack.

While this administration along with four independent states of the former Soviet Union agreed to these restrictions, the remaining 11 states in the former Soviet Union would be free to develop tests and deploy ABM systems. Yes, that is right, they can develop an ABM system, but we cannot.

I ask you, Mr. Speaker, why would this administration limit the United States in a program of a missile defense system while enabling others to have it? I believe that those are our rights and freedoms. As far as I am concerned they are not negotiable.

The citizens of this Nation deserve the best defense we can provide, not a backroom deal that endangers our national security.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. YATES (at the request of Mr. GEPHARDT) for after 6:00 p.m. today on account of physical reasons.

Mr. MANTON (at the request of Mr. GEPHARDT) for after 3:00 p.m. on Thursday, August 6, on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. THORNBERRY) to revise and extend their remarks and include extraneous material:)

Ms. LEE, for 5 minutes, today.

Mr. LAFALCE, for 5 minutes, today.

Mr. CONYERS, for 5 minutes, today.

Mr. FALEMAVAEGA, for 5 minutes, today.

Mr. UNDERWOOD, for 5 minutes, today.

Mr. HOYER, for 5 minutes, today.

(The following member (at the request of Mr. THORNBERRY) to revise and extend his remarks and include extraneous material:)

Mr. PAPPAS, for 5 minutes, today.

ADJOURNMENT

Mr. GIBBONS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 58 minutes a.m.), under its previous order, the House adjourned until today, Friday, August 7, 1998, at 11 a.m.

N O T I C E

Incomplete record of House proceedings; today's House proceedings will be continued in the next issue of the the Record.

Daily Digest

HIGHLIGHTS

The House passed H.R. 2183, Bipartisan Campaign Integrity Act.

The House passed H.R. 4380, D.C. Appropriations Act.

House Committees ordered reported 23 sundry measures.

Senate

Chamber Action

Senate was not in session today. It will next meet at 12 noon on Monday, August 31, 1998.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Bills Introduced: (See next issue.)

Reports Filed: Reports were filed today as follows:

H.R. 3532, to authorize Appropriations for the Nuclear Regulatory Commission for fiscal year 1999, amended (H. Rept. 105–680);

H.R. 4283, to support sustainable and broad-based agricultural and rural development in sub-Saharan Africa (H. Rept. 105–681 Part 1);

H.R. 3869, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize programs for predisaster mitigation, to streamline the administration of disaster relief, to control the Federal costs of disaster assistance, amended (H. Rept. 105–682); and

H.R. 4006, to clarify Federal law to prohibit the dispensing or distribution of a controlled substance for the purpose of causing, or assisting in causing, the suicide, or euthanasia, of any individual, amended (H. Rept. 105–683 part 1). **(See next issue.)**

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Goodlatte to act as Speaker pro tempore for today. **Page H7295**

Extension of Remarks: Agreed that for August 6 and August 7 all members be permitted to extend their remarks and to include extraneous material in that section of the record entitled ''Extensions of Remarks.'' **Page H7295**

Nazi War Crimes Disclosure Act: The House passed S. 1379, to amend section 552 of title 5, United States Code, and the National Security Act of 1947 to require disclosure under the Freedom of Information Act regarding certain persons, disclose Nazi war criminal records without impairing any investigation or prosecution conducted by the Department of Justice or certain intelligence matters—clearing the measure for the President. **Pages H7295–97**

Amending Fastener Quality Act: The House agreed to the Senate amendments to H.R. 3824, amending the Fastener Quality Act to exempt from its coverage certain fasteners approved by the Federal Aviation Administration for use in aircraft—clearing the measure for the President. **Pages H7297–98**

Bipartisan Campaign Integrity Act: The House passed H.R. 2183, to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, by a recorded vote of 252 ayes to 179 noes, Roll No. 405. Pursuant to the rule, the Shays amendment in the nature of a substitute numbered 13 and agreed to on August 3 was adopted. **Pages H7298–H7330**

Rejected:

The Doolittle amendment in the nature of a substitute numbered 5 printed in the Congressional Record that sought to repeal limits on campaign contributions by individuals, political parties, and political action committees to candidates or political parties (rejected by a recorded vote of 131 ayes to 299 noes, Roll No. 403); **Pages H7312–13**

The Hutchinson amendment in the nature of a substitute numbered 8 printed in the Congressional Record that sought to use the text of H.R. 2183 and increase limits on PAC contributions to political parties from $15,000 to $20,000 a year and clarify that candidates may attend state political party fundraisers in their home state (rejected by a recorded vote of 147 ayes to 222 noes with 61 voting ''present'', Roll No. 404). **Pages H7328–30**

H. Res. 442, the rule that provided for consideration of the bill was agreed to on May 21.

D.C. Appropriations Act: The House passed H.R. 4380, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 1999, by a yea and nay vote of 214 yeas to 206 nays, Roll No. 416. **Pages H7335–H7401**

Agreed To:

The Moran of Virginia amendment that clarifies that the environmental study and related activities at the Lorton Correctional Complex will include the property on which the complex is located; **Pages H7345–46**

The Traficant amendment that prohibits any funds to be used to transfer or confine inmates classified above the medium security level, as defined by the Federal Bureau of Prisons, to the Northeast Ohio Correctional Center located in Youngstown, Ohio; **Pages H7370–72**

The Barr amendment that prohibits any funds to be used to conduct a ballot initiative which seeks to legalize or reduce the penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substance Act or any tetrahydrocannabinois derivative; **Pages H7388–89**

The Armey amendment that provides both tuition scholarships and enhanced achievement scholarships for grades K through 12 for District of Columbia residents whose family incomes meet the eligibility qualifications (agreed to by a recorded vote of 214 ayes to 208 noes, Roll No. 411); **Pages H7389–97**

The Tiahrt amendment that prohibits any funds to be used on a program which distributes needles for the hypodermic injection of any illegal drug and prohibits payments to any persons or entities who carry out such a program (agreed to by a recorded vote of 250 ayes to 169 noes, Roll No. 412); **Pages H7372–77, H7397–98**

The Largent amendment that prohibits any funds to be used to carry out a joint adoption of a child between individuals who are not related by blood or marriage (agreed to by a recorded vote of 227 ayes to 192 noes, Roll No. 414); **Pages H7381–85, H7399**

The Bilbray amendment that prohibits the possession of tobacco products by minors (agreed to by a recorded vote of 283 ayes to 138 noes, Roll No. 415); **Pages H7385–88, H7399–H7400**

Rejected:

The Norton amendment numbered 1 printed in the Congressional Record that provides $573,000 for the Neighborhood Advisory Commissions (rejected by a recorded vote of 187 ayes to 237 noes, Roll No. 407); **Pages H7346–49, H7367–68**

The Norton amendment numbered 2 printed in the Congressional Record that allows funds other than Federal funds to be expended for abortions (rejected by a recorded vote of 180 ayes to 243 noes with 1 voting ''present'', Roll No. 408); **Pages H7353–58, H7368–69**

The Norton amendment numbered 3 printed in the Congressional Record that removes the prohibition against the use of funds by the District of Columbia government for a petition drive or civil action which seeks to require Congress to provide for voting representation in Congress (rejected by a recorded vote of 181 ayes to 243 noes, Roll No. 409); **Pages H7359–62, H7369**

The Norton amendment numbered 4 printed in the Congressional Record that sought to strike the Section 149 that repeals the Residency Requirement Reinstatement Amendment Act of 1998 (rejected by a recorded vote of 109 ayes to 313 noes with 1 voting ''present'', Roll No. 410); and **Pages H7362–67 H7369–70**

The Moran of Virginia amendment, as modified, that sought to prohibit any funds to be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug (rejected by a recorded vote of 173 ayes to 247 noes, Roll No. 413). **Pages H7377–81, H7398–99**

Points of Order:

Point of Order sustained against Sec. 131, relating to operational funds being available only when appropriated in an annual appropriations Act. **Page H7353**

H. Res. 517, the rule that provided for consideration of the bill, was agreed to earlier by a yea and nay vote of 220 yeas to 204 nays, Roll No. 406. **Pages H7331–35**

Canadian River Project, Texas: The House passed H.R. 3687, to authorize prepayment of amounts due

under a water reclamation project contract for the Canadian River Project, Texas. Agreed to the Committee on Resources amendment. **Pages H7401–02**

San Isabel National Forest: The House passed H.R. 1865, to designate certain lands in the San Isabel National Forest, in Colorado, as the Spanish Peaks Wilderness. **Page H7402**

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Morella or, if not available to perform this duty, Representative Wolf to act as Speaker pro tempore to sign enrolled bills and joint resolutions through Wednesday, September 9, 1998. **Page H7401**

Meeting Hour—August 7: Agreed that when the House adjourns today, it adjourn to meet at 11 a.m. on Friday, August 7, 1998. **Page H7402**

Resignations—Appointments: It was made in order that notwithstanding any adjournment of the House until Wednesday, September 9, 1998, the Speaker, Majority Leader and Minority Leader be authorized to accept resignations and to make appointments authorized by law or by the House. **Page H7402**

Calendar Wednesday: Agreed to dispense with Calendar Wednesday business of Wednesday, September 9, 1998. **Page H7403**

Amendments: Amendments ordered printed pursuant to the rule will appear in the next issue.

Quorum Calls—Votes: Two yea and nay votes and twelve recorded vote developed during the proceedings of the House today and appear on pages H7312–13, H7329–30, H7330, H7335, H7367–68, H7368–69, H7369, H7369–70, H7396–97, H7397–98, H7398–99, H7399, H7399–H7400, and H7400–01. There were no quorum calls.

Adjournment: The House met at 10:00 a.m. and adjourned at 12:58 a.m. on Friday, August 7.

Committee Meetings

FOREST SERVICE COST REDUCTION AND FISCAL ACCOUNTABILITY ACT

Committee on Agriculture: Ordered reported amended H.R. 4149, Forest Service Cost Reduction and Fiscal Accountability Act of 1998.

MISCELLANEOUS MEASURES

Committee on Banking and Financial Services: Subcommittee on Housing and Community Opportunity approved for full Committee action amended the following bills: H.R. 3899, American Homeownership Act of 1998; and Sections 301 and 303 of H.R. 3865, American Community Renewal Act of 1998.

EPA'S TITLE VI—INTERIM GUIDANCE AND ALTERNATIVE STATE APPROACHES

Committee on Commerce: Subcommittee on Oversight and Investigations held a hearing on the Environmental Protection Agency's Title VI Interim Guidance and Alternative State Approaches. Testimony was heard from Ann E. Goode, Director, Office of Civil Rights, EPA; Michael J. Hogan, Counselor to the Commissioner, Department of Environmental Protection, State of New Jersey; Barry R. McBee, Chairman, Natural Resources Conservation Commission, State of Texas; and public witnesses.

ANTI-SLAMMING AMENDMENTS ACT

Committee on Commerce: Subcommittee on Telecommunications, Trade, and Consumer Protection approved for full Committee action amended H.R. 3888, Anti-slamming Amendments Act.

AMERICAN WORKER PROJECT

Committee on Education and the Workforce: Subcommittee on Oversight and Investigations held a hearing on American Worker Project: Review of the Garment Industry Proviso. Testimony was heard from public witnesses.

CONTEMPT OF CONGRESS

Committee on Government Reform and Oversight: Adopted a report finding Attorney General Janet Reno in contempt of Congress for failure to comply with the subpoena duces tecum served on her.

MISCELLANEOUS MEASURES

Committee on Government Reform and Oversight: Subcommittee on Government Management, Information, and Technology approved for full Committee action amended H.R. 3921, Federal Financial Assistance Management Improvement Act of 1998.

The Subcommittee also held a hearing on Title II of H.R. 4244, Federal Procurement System Performance Measurement and Acquisition Workforce Training Act of 1998. Testimony was heard from Representative Duncan; G. Edward DeSeve, Acting Deputy Director, Management, OMB; and public witnesses.

MISCELLANEOUS MEASURES

Committee on International Relations: Ordered reported amended the following bills: H.R. 633, to amend the Foreign Service Act of 1980 to provide that the annuities of certain special agents and security personnel of the Department of State be computed in the same way as applies generally with respect to Federal law enforcement officers; and H. R. 4309, Torture Victims Relief Act of 1998.

The Committee also favorably amended the following measures and adopted a motion urging the

Chairman to request that they be considered on the Suspension Calendar: H.R. 4038, to make available to the Ukrainian Museum and Archives the USIA television program ''Window on America''; and H. Con. Res. 185, expressing the sense of the Congress on the occasion of the 50th anniversary of the signing of the Universal Declaration of Human Rights and recommitting the United States to the principles expressed in the Universal Declaration.

HOLOCAUST ISSUES

Committee on International Relations: Held a hearing on Property Issues of the Holocaust. Testimony was heard from Stuart Eizenstat, Under Secretary, Bureau of Economic, Business, and Agricultural Affairs, Department of State; and public witnesses.

RELIGIOUS LIBERTY PROTECTION ACT

Committee on the Judiciary: Subcommittee on the Constitution approved for full Committee action amended H.R. 4019, Religious Liberty Protection Act of 1998.

OVERSIGHT—DRUG DIVERSION INVESTIGATIONS BY DEA

Committee on the Judiciary, Subcommittee on Crime held an oversight hearing on drug diversion investigations by the United States Drug Enforcement Administration. Testimony was heard from the following officials of the Department of Justice: Mary Lee Warren, Deputy Assistant Attorney General, Criminal Division; and Gregory K. Williams, Chief of Operations, DEA; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on National Parks and Public Lands approved for full Committee action the following bills: H.R. 576, to direct the Secretary of the Interior to undertake the necessary feasibility studies regarding the establishment of certain new units of the National Parks System in the State of Hawaii; H.R. 2125, to authorize appropriations for the Coastal Heritage Trail Route in New Jersey; H.R. 2800, amended, Battle of Midway National Memorial Study Act; H.R. 2970, amended, National Historic Lighthouse Preservation Act of 1997; H.R. 4230, amended, El Porto Administrative Site Land Exchange Act; H.R. 3705, amended, The Ivanpah Valley Airport Public Lands Transfer Act; H.R. 3746, amended, to authorize the addition of the Paoli Battlefield site in Malvern, Pennsylvania, to the Valley Forge National Historical Park; H.R. 3883, to revise the boundary of the Abraham Lincoln Birthplace National Historic Site to include Knob Creek Farm; H.R. 3910, amended, Automobile National Heritage Area Act of 1998; H.R. 3950, amended, Otay Mountain Wilderness Act of 1998; H.R. 3963, to establish terms and conditions under which the Secretary of the Interior shall convey leaseholds in certain properties around Canyon Ferry Reservoir; H.R. 3981, amended, to modify the boundaries of the George Washington Birthplace National Monument; H.R. 4109, Gateway Visitor Center Authorization Act of 1998; H.R. 4141, amended, to amend the Act authorizing the establishment of the Chattahoochee River National Recreation Area to modify the boundaries of the Area, and to provide for the protection of lands, waters, and natural, cultural, and scenic resources within the national recreation area; H.R. 4144, amended, Cumberland Island Preservation Act; H.R. 4211, amended, to establish the Tuskegee Airmen National Historic Site, in association with the Tuskegee University, in the State of Alabama; H.R. 4158, amended, National Park Enhancement and Protection Act; H.R. 4287, amended, Grand Staircase-Escalante National Monument Boundary Adjustments Act; H.R. 4289, amended, to provide for the purchase by the Secretary of the Interior of the Wilcox ranch in Eastern Utah for management as wildlife habitat; and H.R. 4182, to establish the Little Rock Central High School National Historic Site in the State of Arkansas.

MANDATORY DRUG TESTING—MEMBERS, OFFICERS AND EMPLOYEES OF THE HOUSE

Committee on Rules: On August 5th, the Committee began markup of a measure to amend the Rules of the House of Representatives to provide for mandatory drug testing of Members, officers, and employees of the House of Representatives.

Committee recessed subject to call.

OVERSIGHT—TECHNOLOGY DEVELOPMENT AT FAA

Committee on Science: Subcommittee on Technology held an oversight hearing on Technology Development at FAA: Computer and Information Technology Challenges of the 21st Century. Testimony was heard from the following officials of the Department of Transportation: Dennis DeGaetano, Deputy Associate Administrator, Research and Acquisitions, FAA; and John Meche, Deputy Assistant Inspector General for Finance, Economic and Information Technology; and Joel C. Willemssen, Director, Civil Agencies Information Systems, GAO.

PROJECT LABOR AGREEMENTS

Committee on Small Business: Held a hearing on how project labor agreements on public construction projects are negatively affecting women and minority-owned businesses. Testimony was heard from Nancy McFadden, General Counsel, Department of Transportation; and public witnesses.

PILOT LICENSES

Committee on Transportation and Infrastructure: Subcommittee on Aviation held a hearing on H.R. 1846, to provide for the immediate application of certain orders relating to the amendment, modification, suspension, or revocation of certificates under chapter 447 of title 49, United States Code. Testimony was heard from Gerald L. Dillingham, Associate Director, Transportation Issues, GAO; Peggy Gilligan, Deputy Associate Administrator, Regulation and Certification, FAA, Department of Transportation; the following officials of the National Transportation Safety Board: Daniel D. Campbell, General Counsel; and Harry L. Riggs, Jr., President, Bar Association; and public witnesses.

BEACHES AND OCEANS

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held a hearing on the following bills: H.R. 2094, Beaches Environmental Assessment, Closure, and Health Act of 1997; H.R. 3445, Oceans Act of 1998; and S. 1213, Oceans Act of 1997. Testimony was heard from Representatives Bilbray, Pallone, Saxton and Farr; J. Charles Fox, Acting Assistant Administrator, Office of Water, EPA; Sally J. Yozell, Deputy Assistant Secretary, Oceans and Atmospheric Administration, NOAA, Department of Commerce; David B. Rosenblatt, Supervisor, Local Shore Programs, Department of Environmental Protection, State of New Jersey; and public witnesses.

MEDICARE'S HOME HEALTH BENEFITS

Committee on Ways and Means: Subcommittee on Health held a hearing on Medicare's Home Health Benefits. Testimony was heard from the following officials of the Department of Health and Human Services: Michael Hash, Deputy Administrator, Health Care Financing Administration; and June Gibbs Brown, Inspector General; William J. Scanlon, Director, Health Financing Systems, GAO; Gail Wilensky, Chair, Medicare Payment Advisory Commission; and public witnesses.

REPORT—YEAR 2000 COMPUTER PROBLEM

Committee on Ways and Means: Subcommittee on Oversight approved for full Committee action a report entitled Year 2000 Computer Problem.

COMMITTEE BUSINESS; KOREAN PENINSULA BRIEFING

Permanent Select Committee on Intelligence: Met in executive session to consider pending Committee business.

The Committee also met in executive session to hold a briefing on Korean Peninsula. The Committee was briefed by departmental witnesses.

COMMITTEE MEETINGS FOR FRIDAY, AUGUST 7, 1998

(Committee meetings are open unless otherwise indicated)

Senate

No meetings are scheduled.

House

Committee on Commerce, Subcommittee on Oversight and Investigations, to continue hearings on the circumstances surrounding the FCC's planned relocation to the Portals, 9:30 a.m., 2123 Rayburn.

Committee on the Judiciary, Subcommittee on Crime, to mark up the following: the Internet Gambling Prohibition Act; H.R. 3046, Police, Fire, and Emergency Officers Educational Assistance Act of 1998; S. 1976, Crime Victims with Disabilities Awareness Act; H.R. 804, to amend part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 to ensure that Federal funds made available to hire or rehire law enforcement officers are used in a manner that produces a net gain of the number of law enforcement officers who perform non-administrative public safety services; and H.R. 1524, Rural Law Enforcement Assistance Act of 1997, 9:30 a.m., 2237 Rayburn.

Joint Meetings

Joint Economic Committee, to hold hearings on the employment-unemployment situation for July, 1998, 9:30 a.m., 1334 Longworth Building.

Next Meeting of the SENATE

12 noon, Monday, August 31

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 1 p.m.), Senate may consider any cleared executive or legislative business.

Next Meeting of the HOUSE OF REPRESENTATIVES

11 a.m., Friday, August 7

House Chamber

Program for Friday: No legislative business.

(House proceedings for today will be continued in the next issue of the Record.)

Congressional Record The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed at one time. ¶Public access to the Congressional Record is available online through *GPO Access,* a service of the Government Printing Office, free of charge to the user. The online database is updated each day the Congressional Record is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available on the Wide Area Information Server (WAIS) through the Internet and via asynchronous dial-in. Internet users can access the database by using the World Wide Web; the Superintendent of Documents home page address is http://www.access.gpo.gov/su_docs, by using local WAIS client software or by telnet to swais.access.gpo.gov, then login as guest (no password required). Dial-in users should use communications software and modem to call (202) 512–1661; type swais, then login as guest (no password required). For general information about *GPO Access,* contact the *GPO Access* User Support Team by sending Internet e-mail to gpoaccess@gpo.gov, or a fax to (202) 512–1262; or by calling Toll Free 1–888–293–6498 or (202) 512–1530 between 7 a.m. and 5 p.m. Eastern time, Monday through Friday, except for Federal holidays. ¶The Congressional Record paper and 24x microfiche will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, $150.00 for six months, $295.00 per year, or purchased for $2.50 per issue, payable in advance; microfiche edition, $141.00 per year, or purchased for $1.50 per issue payable in advance. The semimonthly Congressional Record Index may be purchased for the same per issue prices. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington, D.C. 20402. ¶Following each session of Congress, the daily Congressional Record is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the Congressional Record.